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Rights of indigenous peoples

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Note by the Secretary-General

The Secretary-General has the honour to transmit the report of the Special Rapporteur of the Human Rights Council on the rights of indigenous peoples, Victoria Tauli-Corpuz, submitted in accordance with Human Rights Council resolution 30/4.

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Report of the Special Rapporteur of the Human Rights Council on the rights of indigenous peoples, Victoria Tauli-Corpuz

Summary

The present report is submitted to the General Assembly by the Special Rapporteur on the rights of indigenous peoples pursuant to her mandate under Council resolutions 15/14 and 24/9. In the report, the Special Rapporteur provides a brief summary of her activities since her previous report to the Assembly, as well as a thematic analysis of conservation measures and their impact on indigenous peoples' rights.

Protected areas have the potential of safeguarding the biodiversity for the benefit of all humanity; however, these have also been associated with human rights violations against indigenous peoples in many parts of the world. The complex violations that have been faced by indigenous peoples in the wake of evermore expanding protected areas have been raised by respective special rapporteurs during numerous country visits and communications to governments.

The present report charts legal developments and commitments and measures taken made to advance a human rights-based paradigm in conservation, while also identifying key remaining challenges. The report concludes with recommendations on how conservation, in policy and practice, can be developed in a manner which respects indigenous peoples' rights and enhances sustainable conservation.

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I. Introduction

1. The present report is submitted to the General Assembly by the Special Rapporteur on the rights of indigenous peoples pursuant to her mandate under Council resolutions 15/14 and 24/9. In the report, the Special Rapporteur provides a brief summary of her activities since her previous report to the Assembly (A/70/301) as well as a thematic analysis of conservation measures and their impact on indigenous peoples' rights.

II. Activities of the Special Rapporteur

A. Participation in conferences

2. As part of the fulfilment of her mandate, the Special Rapporteur participated in a number of international and national conferences and dialogues, including:

(a) The Paris Conference of Parties to the United Nations Framework Convention on Climate Change in December 2015. Together with the Office of the Office of the United Nations High Commissioner for Human Rights and the Special Rapporteur on human rights and the environment, the Special Rapporteur advocated for the inclusion of human rights in the Paris decisions. Language which recognizes the need to address human rights, including indigenous peoples' rights, in all climate change measure was included in the Paris Agreement;

(b) A symposium organized by the Canadian Feminist Alliance for International Action, the Canadian Journal of Women and the Law and the Native Women's Association of Canada in January 2016 on missing and murdered indigenous women to discuss the national inquiry launched by the Government in December 2015;

(c) The High-level Dialogue on the World Bank draft environmental and social standard on Indigenous Peoples in Addis Ababa in February 2016, which centred on the use of the term indigenous peoples and the requirement to obtain their free, prior and informed consent. The Special Rapporteur, together with the Chair of the United Nations Permanent Forum on Indigenous Issues and the Expert Mechanism on the Rights of Indigenous Peoples, subsequently wrote a joint letter to the World Bank to express concerns regarding the weakening of the safeguards, with proposals for remedial language;

(d) A seminar on experiences in litigation of cases of violence against women and women's access to justice in Guatemala in February 2016, invited by Alianza Rompiendo el Silencio and Lawyers without Borders, Canada. The Special Rapporteur hailed the 26 February 2016 judgment in the *Sepur Zarco* case on sexual slavery of indigenous women by the Guatemalan military during the armed conflict as an important historical victory of justice for indigenous women and victims of sexual slavery worldwide;

(e) An international seminar on indigenous jurisdiction and access to justice in Bogotá in February 2016 by invitation of the Attorney General's Office. Her intervention underlined the need to increase dialogue and cooperation in the harmonization of indigenous jurisdiction and the ordinary justice system;

(f) A panel discussion organized by Columbia University in New York in May 2016 on how armed conflict and peace negotiations affect indigenous peoples;

(g) A meeting by invitation of the Nordic Trust Fund of the World Bank in June 2016. The Special Rapporteur discussed the importance of safeguarding indigenous peoples' rights in World Bank operations and programmes;

(h) Regional seminars co-organized by the Special Rapporteur and the International Work Group for Indigenous Affairs and the Asia Indigenous Peoples' Pact and Tebtebba on the impacts on investment treaties on the rights of indigenous peoples, in Lima for Latin America and in Bangkok for Asia, and a global seminar held in New York in May 2016, to obtain information for her second thematic report on this issue for the Human Rights Council in September 2016;

(i) The regular sessions of the Permanent Forum on Indigenous Issues and the Expert Mechanism on the Rights of Indigenous Peoples. The Special Rapporteur held meetings with members of these mechanisms on ways to maintain and increase the coordination among them. In parallel to the sessions, she also held meetings with several State delegations and indigenous organizations.

B. Country visits and communications

3. Since her last report to the General Assembly, the Special Rapporteur carried out three official country visits to Sápmi (Finland, Norway and Sweden) in August 2015, Honduras in November 2015 and Brazil in March 2016. The reports of these visits will be presented to the Human Rights Council in September 2016.

4. During the Special Rapporteur's visit to Sápmi, the Special Rapporteur highlighted her concerns on the land rights situation of the Sami people. She observed that the increased drive to mineral extraction and the development of renewable energy projects in Sápmi was one of the main threats against the realization of the rights of the Sami people.

5. In Honduras, the Special Rapporteur noted that a fundamental problem faced by indigenous peoples was the lack of full recognition, protection and enjoyment of their rights to ancestral lands and natural resources and impunity for the increasing violence against indigenous peoples. During the visit, the Special Rapporteur met with Berta Cáceres, an indigenous Lenca activist who was killed four months later (on 3 March 2016) because of her protests against the Agua Zarca dam project, even though she had been awarded precautionary protection measures from the Inter-American Commission on Human Rights. The Special Rapporteur will continue to monitor the investigations into Ms. Caceres' murder and urges the State to hold the perpetrators accountable and break the vicious cycle of impunity.

6. Regarding Brazil, the Special Rapporteur expressed concern about the fact that that, in the eight years following the visit of her predecessor, there had been a disturbing absence of progress in the resolution of long-standing issues of key concern to indigenous peoples. She noted the convergence of various disconcerting developments endangering the rights of indigenous peoples. The risk of ethnocidal effects in such contexts could not be overlooked nor underestimated. The Special Rapporteur deeply regrets that, since her visit, killings and violent evictions of the Kaiowa Guarani peoples in Mato Grosso, some of which she visited, continue to take place.

7. The Special Rapporteur has continued to send communications, primarily to Governments, on specific cases of violations of the rights of indigenous peoples brought to her attention and encourages Member States to respond to these communications and to engage in a dialogue with her to improve the situation of indigenous peoples.

III. Conservation and indigenous peoples' rights

8. The impact that conservation initiatives have on indigenous peoples has been a constant and recurring theme since the establishment of the mandate of the Special Rapporteur on the rights of indigenous peoples in 2001. The consequences indigenous peoples have faced in the wake of evermore expanding protected areas have been raised by respective special rapporteurs during numerous country visits and communications to governments.

9. The three Special Rapporteurs on the rights of indigenous peoples have, since the creation of the mandate, paid particular attention to the human rights violations that conservation measures have caused indigenous peoples worldwide, notably by the expropriation of land, forced displacement, denial of self-governance, lack of access to livelihoods and loss of culture and spiritual sites, non-recognition of their own authorities and denial of access to justice and reparation, including restitution and compensation.

10. The focus of the present report on terrestrial protected areas and, to a limited extent, on World Heritage sites, is not intended to diminish the onus on the key factors causing displacement of indigenous peoples from their lands and the overall violations of their rights to lands and territories by extractive industries, agribusiness expansion and mega infrastructure development. Previous special rapporteurs have written thematic reports on extractive industries and violations of the right to development of indigenous peoples.

11. While the conservation community is in the process of adopting conservation measures that respect the human rights of indigenous peoples, considerable implementation gaps remain and new threats to human rights-based conservation are emerging. The Special Rapporteur has therefore decided that it is a timely and important moment to explore this topic in further depth. The present report charts legal developments and commitments and measures taken made to advance a human rights-based paradigm in conservation, while also identifying certain key remaining challenges. The report concludes with recommendations on how conservation, in policy and practice, can be developed in a manner which respects indigenous peoples' rights and enhances sustainable conservation.

12. A protected area is a geographically defined area which is designated or regulated and managed to achieve specific conservation objectives.[1] Protected areas consist of many different conservation modalities, among them national parks and forests, wildlife refuges, marine areas, private and non-governmental organization (NGO)-governed preserves, indigenous peoples' protected areas, community lands and other areas where the protection of nature and the practice of sustainable livelihoods foster ecosystem integrity.

[1] See Convention on Biological Diversity, art. 2.

13. Protected areas have the potential of safeguarding biodiversity for the benefit of all humanity; however, these have also been associated with human rights violations against indigenous peoples in many parts of the world. For over a century, conservation was carried out with the aim of vacating protected areas of all human presence, leading to cultural destruction and large-scale displacements of indigenous peoples from their ancestral lands in the name of conservation. Past conservation measures caused complex and multiple violations of the collective and individual human rights of indigenous peoples.

14. The expanse of protected areas nearly doubled over a period two decades, from 8.7 million square kilometres in 1980 to 16.1 million square kilometres in 2000.[2] There is significant spatial overlap between the traditional lands of indigenous peoples and areas which retain the highest levels of high-biodiversity. Traditional indigenous territories encompass around 22 per cent of the world's land surface and they coincide with areas that hold 80 per cent of the planet's biodiversity.[3] It has been estimated that 50 per cent of protected areas worldwide has been established on lands traditionally occupied and used by indigenous peoples and that this proportion is highest in the Americas, where it may exceed 90 per cent in Central America. Bolivia, Brazil, Chile and Colombia, as well as Canada and the United States of America, all have a high percentage of protected areas on indigenous traditional territory. Overlap is also significant in Australia and New Zealand. Most of the protected areas in India, Nepal and the Philippines include the territories of indigenous peoples. Botswana, Cameroon, Kenya, Namibia, South Africa and the United Republic of Tanzania are among the African countries in which large parts of the protected areas are located on indigenous peoples' ancestral domains.[4]

15. Indigenous peoples retain strong spiritual links with the plants, trees and animals on their lands and protecting their lands is a sacred duty. Yet, indigenous peoples may not refer to themselves as conservationists and this has resulted in a considerable lack of acknowledgement within the conservation community of indigenous peoples' contribution to conservation.[5] There is increasing recognition that the ancestral lands of indigenous peoples contain the most intact ecosystems and provide the most effective and sustainable form of conservation.[6] Studies have demonstrated that the territories of indigenous peoples who have been given land rights have been significantly better conserved than the adjacent lands.[7] Yet, to date, the important role played by indigenous peoples as environmental guardians has still failed to gain due recognition. According to the United Nations Environment

[2] Jenny Springer and Fernanda Almeida, "Protected areas and land rights of indigenous peoples and local communities" (Washington, D.C., Rights and Resources Initiative, 2015).

[3] Claudia Sobrevila, "The role of indigenous peoples in biodiversity conservation: the natural but often forgotten partners" (Washington, D.C., World Bank, 2008).

[4] Stan Stevens, ed., *Indigenous Peoples, National Parks and Protected Areas: A New Paradigm Linking Conservation, Culture and Rights* (Tucson, Arizona, University of Arizona Press, 2014).

[5] Grazia Borrini-Feyerabend and Rosemary Hill, "Governance for the conservation of nature", in Graeme Worboys and others, eds., *Protected Area Governance and Management* (Canberra, Australia National University Press, 2015).

[6] Stevens, *Indigenous Peoples*; Aili Pyhälä, Ana Osuna Orozco and Simon Counsell, "Protected areas in the Congo Basin, failing both people and biodiversity?" (London, Rainforest Foundation United Kingdom, 2016).

[7] Sobrevila, "The role of indigenous peoples"; Pyhälä, Orozco and Counsell, "Protected areas in the Congo Basin".

Programme World Conservation Monitoring Centre, in 2014, less than 5 per cent of protected areas worldwide were governed by indigenous peoples and local communities.[8]

16. Conservation efforts traditionally were state-centric and based on expropriation of lands subsequently placed under government control. Indigenous peoples were displaced, denied self-governance, deprived of access to natural resources for their livelihood and their traditional and spiritual links to ancestral land were disrupted. Marginalized and impoverished indigenous peoples have continued to struggle for access to their territories and tenure rights, resulting in enduring friction and conflict.

17. From the conservation perspective, the loss of the guardianship of indigenous peoples and the placing of their lands under the control of government authorities who have often lacked the capacity and political will to protect the land effectively, has left such areas exposed to destructive settlement, extractive industries, illegal logging, agribusiness expansion and large-scale infrastructure development. Even where national policies and laws require strict protection for protected areas, in many countries State agencies have still authorized mining, oil and gas extraction, logging, dams and reservoirs, highways and other projects in direct conflict with conservation goals.[9]

18. Mobilization of indigenous peoples' movements has led to advances in international law recognizing their collective right to their traditional lands and growing awareness among conservationists of the important role indigenous peoples play in conserving biodiversity are factors which have led to relatively recent, yet significant, shifts towards greater recognition of indigenous peoples' rights in the context of conservation. Leading conservation organizations have adopted commitments and policies seeking to adopt a "new paradigm" of undertaking conservation, while respecting the rights of indigenous peoples. However, significant gaps remain between these policies and their effective implementation on the ground.

19. Furthermore, among the principal challenges that indigenous peoples continue to face globally are difficulties in gaining legal recognition of collective ownership over their ancestral lands, especially when these have already been declared protected territories. National legislation is often contradictory. Laws pertaining to conservation and forestry are commonly not harmonized with subsequent national legislation and international law asserting the rights of indigenous peoples and the authorities responsible for enforcement of the different laws frequently fail to coordinate.

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[8] United Nations Environment Programme, *Protected Planet Report 2014: Tracking Progress Towards Global Targets for Protected Areas* (Cambridge, United Kingdom of Great Britain and Northern Ireland, 2014).

[9] See A/HRC/4/32/Add.2 and A/HRC/33/42/Add.2; see also, Marcus Colchester, *Salvaging Nature: Indigenous Peoples, Protected Areas and Biodiversity Conservation*, United Nations Research Institute for Social Development Discussion Paper, No. 55 (Geneva, United Nations Research Institute for Social Development, 1994).

IV. Human rights legal standards and jurisprudence

20. The aim of the present section is to chart and affirm the existing legal obligations to guarantee indigenous peoples' rights in the context of conservation. The rights of indigenous peoples stem from various branches of international law and have developed through international human rights law, international labour law and international environment law. International and regional human right jurisprudence have further advanced the application of key indigenous peoples' rights in conservation. Taking stock of the standing in international law of indigenous peoples' rights in relation to conservation thus requires consideration of the interrelatedness of the different rights, notably self-determination, cultural and property rights, and appreciation of the complementarity of international human rights law and international environment law.

21. While human rights-based approaches to conservation have become widely accepted among conservation NGOs, their internal policy documents are at times elusive regarding the specific rights of indigenous peoples. This underlines the importance of reiterating the key applicable legal provisions.

A. The right to self-determination and land rights

22. Self-determination is a right in itself and is also a necessary pre-condition for the fulfilment of other human rights. The right is a fundamental principle in international law and has been interpreted in a variety of legal contexts. Self-determination is considered an overarching right to indigenous peoples because of its cross-cutting nature and because it affirms their right to freely pursue their economic, social and cultural development. It is crucial to the issue of land conservation efforts because of its links with land rights and the right to participate within processes and decisions affecting them, such as the establishment and management of protected areas. The right to self-determination is enshrined within both the International Covenant on Civil and Political Rights (1966, article 1) and the International Covenant on Economic, Social and Cultural Rights (1966, article 1) and is included in the United Nations Declaration on the Rights of Indigenous Peoples (2007, article 3). Human rights treaty bodies, notably the Human Rights Committee, the Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Racial Discrimination, have all affirmed, in analogous terms, that States must recognize and protect the rights of indigenous peoples to own, develop, control and use their communal lands and to participate in the management and conservation of the associated natural resources.[10] The Committee on Economic, Social and Cultural Rights and the Human Rights Committee have underlined the importance of the provision of land titles on the ancestral lands by linking the right to self-determination with cultural rights (article 27 of the International Covenant on Civil and Political Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights).[11] The Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International

[10] See Committee on the Elimination of Racial Discrimination general recommendation No. 23; concluding observations for Sri Lanka, in A/56/18, para. 335; see also CERD/C/DEC/SUR/1; CCPR/C/KEN/CO/3; E/C.12/KHM/CO/1.

[11] See Ben Saul, *Indigenous Peoples and Human Rights: International and Regional Jurisprudence* (Portland, Oregon, Hart Publishing, 2016).

Labour Organization (ILO) enshrines land rights for indigenous peoples in articles 14 to 19). The United Nations Declaration on the Rights of Indigenous Peoples, which consolidates the rights of indigenous peoples already recognized in other human rights instruments and through the jurisprudence of the international human rights treaty bodies, affirms the right of indigenous peoples to own and control their lands (articles 25, 26 and 27).

B. Participation and free, prior and informed consent

23. Respect for the right to participate and to free, prior and informed consent are sine qua non elements of effective advancement of indigenous peoples' rights in practice. ILO Convention No. 169 sets out the duty of States to consult indigenous peoples through appropriate procedures and in particular through their representative institutions, whenever consideration is being given to legislative or administrative measures which may affect them directly (article 6). Human rights treaty bodies have consistently affirmed the principle of free, prior and informed consent of indigenous peoples in matters relating to their rights and interests and specifically in relation to their ancestral lands[12] and conservation.[13]

24. The Declaration on the Rights of Indigenous Peoples makes specific reference to conservation in article 29, which states that indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources and that States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination. The Declaration furthermore states that indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources and that States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources (article 32).

C. Forced displacement and the right to reparation, including restitution

25. Article 12(1) of the International Covenant on Civil and Political Rights establishes the right to liberty of movement and freedom to choose one's residence. This provision includes protection against all forms of forced internal displacement.[14] Persons whose rights or freedoms under the Covenant are violated shall have an effective remedy, as set out in article 2(3). In relation to forced evictions, the Committee on Economic and Social and Cultural Rights has affirmed that States must refrain from forced evictions and ensure that the law is enforced against its agents or third parties who carry out forced evictions.[15] The Guiding

[12] Human Rights Committee, *Ángela Poma Poma v. Peru*, communication No. 1457/2006; Committee on the Elimination of Racial Discrimination, general recommendation No. 23.
[13] See E/C.12/TZA/CO/1-3; see also CCPR/C/KEN/CO/3.
[14] See CCPR/C/21/Rev.1/Add.9, para. 7.
[15] Committee on Economic, Social and Cultural Rights, general comment No. 7, para. 8.

Principles on Internal Displacement emphasize that States are under a particular obligation to protect against the displacement of indigenous peoples and other groups with a special dependency on and attachment to their lands (principle 9). Due to the special relationship that indigenous peoples have with their land and the profound impact forced displacement has on their survival, human rights treaty bodies have consistently expressed concerns over the forcible displacement of indigenous peoples and urged States to provide reparation, with emphasis on the obligation to provide restitution of their original lands.[16] Reparation measures should be provided in accordance with international standards and, where appropriate, should entail elements of restitution, compensation, rehabilitation, satisfaction and guarantees of non-recurrence.[17]

26. ILO Convention No. 169 (article 16) and the Declaration on the Rights on Indigenous Peoples (article 10) stipulate that indigenous peoples shall not be forcibly removed from their lands unless they have provided their free, prior and informed consent. Should such violations have occurred, they have the right to fair reparation including restitution and compensation and, where possible, the option of returning to their lands. Article 28 of the Declaration furthermore stresses the right of indigenous peoples to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent. Unless otherwise freely agreed upon by the peoples concerned, compensation shall take the form of lands, territories and resources equal in quality, size and legal status or of monetary compensation or other appropriate redress.

D. Regional human rights systems

27. The Inter-American Commission on Human Rights and the Inter-American Court of Human Rights, with particular reference to property rights (article 21) of the American Convention on Human Rights, have provided key jurisprudence on the rights of indigenous peoples to communal lands, including in the context of protected areas. The *Awas Tingni v. Nicaragua* case decided by the Inter-American Court of Human Rights in 2001 set an important precedent as it was the first binding judgment, confirming that indigenous communal land rights arise by virtue of traditional occupation despite the lack of official legal title.[18] The Court has furthermore held that indigenous peoples maintain their property rights even when they have been forced to leave or have otherwise lost possession of their traditional lands, including where their lands have been expropriated or transferred to third parties, unless this was done consensually and in good faith.[19]

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[16] See Committee on the Elimination of Racial Discrimination, general recommendation No. 23; see also CERD/C/BWA/CO/16 and CERD/C/NAM/CO/12, discussed in Fergus MacKay, "Addressing past wrongs: indigenous peoples and protected areas — the right to restitution of lands and resources", Forest Peoples Programme Occasional Paper, 2002.

[17] See General Assembly resolution 60/147, see also CCPR/C/21/Rev.1/Add. 13, 2004, para.16.

[18] Inter-American Court on Human Rights, *Mayagna (Sumo) Awas Tingni Community v. Nicaragua*, Judgment, 31 August 2001, ser. C, No. 79.

[19] Inter-American Court on Human Rights, *Yakye Axa Indigenous Community v. Paraguay*, Judgment, 17 June 2005, ser. C, No. 125; *Sawhoyamaxa Indigenous Community v. Paraguay*. Judgment of 29 March 2006. Series C No. 146.

28. Of particular importance to the rights of indigenous peoples in the context of conservation is the judgment of the Court in the *Kaliña and Lokono Peoples v. Suriname case* in November 2015, relating to three nature reserves established on their ancestral territory which partly prevented their access.[20] The judgment ordered the State to implement a series of guarantees of non-repetition, including the legal recognition of territorial and other rights of all indigenous and tribal peoples in Suriname. The Court furthermore concluded that respect for the rights of indigenous peoples may have a positive impact on environmental conservation and therefore the rights of indigenous peoples and international environmental laws should be seen as complementary rather than exclusionary rights. In February 2015, the Special Rapporteur acted as an expert witness in the case and emphasized indigenous peoples' right to effective participation in conservation management and their right to restitution for lands incorporated into protected areas without their consent. She underlined three basic principles in relation to protected areas, as follows: first, that States must recognize and protect the rights of indigenous peoples to own, develop, control and use their communal lands, territories and resources; second, that decision-making in relation to all aspects of protected areas must take place with indigenous peoples' effective participation and consent where any restrictions on their rights may be proposed; and third, that indigenous peoples have a right to restitution and other forms of redress where their lands have been incorporated into protected areas without their consent.[21]

29. In the African human rights system, the African Commission on Human and People's Rights held in the case of *Endorois Welfare Council v. Kenya*[22] that the rights of the Endorois had been violated when they were denied access to their traditional lands after the lands were turned into a game reserve in 1973. The Commission found that the Kenyan State was obliged to recognize the communal land rights of the Endorois indigenous peoples and provide compensation and restitution by returning the lands or by providing alternative lands of equal extent and quality in agreement with the indigenous community. Importantly, the Commission found that, although their land had become a game reserve, the Endorois were its ancestral guardians and thus best equipped to maintain its delicate ecosystem and that their alienation from their land threatened their cultural survival and thus the encroachment was not proportionate to the public need.

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[20] Inter-American Court on Human Rights, *Kaliña and Lokono Peoples v. Suriname*, Judgment, 25 November 2015, ser. C, No. 309. The Court found Suriname responsible for violations of the right to recognition of juridical personality (article 3 of the American Convention on Human Rights); the right to collective property and political rights (articles 21 and 23 of the American Convention); and the right to judicial protection (article 25 of the American Convention).

[21] Expert testimony of the Special Rapporteur on the Rights of Indigenous Peoples, Victoria Tauli-Corpuz, before the Inter-American Court on Human Rights on the case of *Kaliña and Lokono Peoples v. Suriname*, on 3 February 2015, available from http://unsr.vtaulicorpuz.org/site/index.php/en/press-releases/58-unsrip-conservation-policies.

[22] African Commission on Human and People's Rights, *Centre for Minority Rights Development (Kenya) and Minority Rights Group International on behalf of Endorois Welfare Council v. Kenya*, communication No. 276/2003, 25 November 2009. The Commission found violations of the right to property (article 14 of the African Charter on Human and People's Rights), the right as peoples to freely dispose of its wealth and natural resources (article 21 of the African Charter) and the right to development (article 22 of the African Charter).

E. Convention on Biological Diversity

30. The Convention on Biological Diversity was adopted in 1992 and, as at 5 July 2016, had gained the widespread support of 196 Parties.[23] The treaty refers to indigenous peoples' knowledge, innovations and practices for the conservation and customary use of biological diversity. Article 8 (j) of the Convention commits States parties to respect and maintain the knowledge, innovations and practices of indigenous and local communities which are relevant for conservation and sustainable use of biological diversity. The Convention, however, fails to contain explicit recognition of the human rights of indigenous peoples.

31. Protected areas are among the cross-cutting issues addressed under the Convention on Biological Diversity. In 2004, the seventh meeting of the Conference of the Parties to the Convention adopted a programme of work on protected areas. It states that the establishment, management and monitoring of protected areas should take place with the full and effective participation of, and full respect for the rights of, indigenous peoples consistent with national law and applicable international obligations. In the programme of work, parties are requested to ensure that any resettlement of indigenous communities as a consequence of the establishment or management of protected areas will only take place with their prior informed consent that may be given according to national legislation and applicable international obligations.[24] In 2014, the Conference of the Parties adopted a decision which highlighted the requirement that protected areas and management regimes must be consensual and participatory if indigenous peoples' rights are to be respected. It also recognized the contribution of indigenous peoples' own conservation initiatives within their territories to the effective conservation of important biodiversity sites.[25]

32. In view of the targets set by the parties to the Convention to expand protected area coverage to at least 17 per cent of terrestrial and inland water areas and 10 per cent of coastal and marine areas by 2020, the Special Rapporteur stresses that States and conservation organizations need to implement measures to recognize the rights of indigenous peoples as a matter of priority.[26]

V. Initial conservation practices and their consequences

33. Conservation protected areas were initially established through the expropriation of the lands and territories of indigenous peoples and local communities. Colonial and post-colonial administrations around the world claimed common land for the State, without regard for the existing rights of traditional ownership and use under customary tenure. Such expropriated land was then allocated to new owners for new uses, such as settlement, exploitation, and conservation. In establishing the first "modern" protected areas in 1872 (Yellowstone National Park), and in 1890 (Yosemite National Park), the Government of the United States of America violently expelled the Native

[23] The relevant provisions are articles 8(j), 10(c), 17.2 and 18.4.

[24] See UNEP/CBD/COP/DEC/VII/28.

[25] See UNEP/CBD/COP/DEC/XII/12.

[26] See the Strategic Plan for Biodiversity 2011-2020, Aichi Biodiversity Target 11.See UNEP/CBD/COP/10/INF/12/Rev.1.

Americans who lived in and depended on the natural resources in those areas. This approach was influenced both by the perception of parks as pristine "wildernesses," devoid of human occupation and use, and by the interests of lobbies wanting to develop parks for tourism. Native peoples were seen as incompatible with those interests.[27]

34. Such protected areas were based on the following assumptions: protected areas should be created and governed by States; the goal of protected areas should be strict nature preservation with emphasis on biodiversity conservation and protected area management required protected areas to be uninhabited and without human use of natural resources. In its worst forms, coercive force was considered legally and morally justified to remove resident peoples and protect biodiversity.[28]

35. The exclusionary "fortress" approach to protected-area management spread across North America, to Africa, Australia, New Zealand, the Russian Federation and to parts of Asia and Latin America. It remained the dominant model of protected-area management for more than a century and its State-centric legacy still has significant impact on today's conservation efforts. Although a full accounting will never be possible, owing to lack of accurate records, there is abundant evidence that large numbers of indigenous persons were dispossessed. Estimates of the number that may have been displaced worldwide run into the millions.[29]

36. From the perspective of indigenous peoples, the creation of protected areas was perceived as colonialist, as the consequences for indigenous peoples who experienced them spelled subjugation and the loss of lands, autonomy and self-governance, livelihood resources as well as the rupture of cultural and spiritual links. Protected areas under State control imposed new laws and forms of control by Government institutions. In this sense, protected areas were seen as a vehicle for coercive assimilation by indigenous peoples.[30] Many of the egregious human rights violations against indigenous peoples which took place in the name of conservation occurred before the 1980s, such as forced displacement following the creation of African game parks. In many countries the ongoing legacy of these violations continues to affect their exercise of their rights.

37. New approaches to conservation have emerged during the past two decades. Indigenous peoples mobilized and started to pursue their customary land rights with the support of evolving international legal standards in favour of their rights in the 1970s and 1980s. States, in turn, began reforms to legally recognize some of these rights, notably in South America. In Colombia (1991) and in Brazil (1998) indigenous land rights became constitutionally entrenched. Protected-areas policies were gradually changed towards recognition of indigenous land rights in Australia, Canada and New Zealand.[31] Since the mid-1990s, the Australian Government has

[27] Springer and Almeida, "Protected areas and land rights" (see footnote 2).
[28] Stevens, *Indigenous Peoples* (see footnote 4).
[29] Daniel Brockington and James Igoe, "Eviction for conservation: a global overview", *Conservation and Society*, vol. 4, No. 3 (2006); Mark Dowie, *Conservation Refugees: The Hundred-Year Conflict between Global Conservation and Native Peoples*, (Cambridge, Massachusetts, Massachusetts Institute of Technology Press, 2009).
[30] Stevens, *Indigenous Peoples*.
[31] Springer and Almeida, "Protected areas and land rights".

provided native title for indigenous peoples and supported co-management or their own management of protected areas.[32]

38. Protected areas in countries which have failed to undertake legal reforms and recognition of collective land rights for indigenous peoples have been marred by the highest and most persistent incidence of human rights violations against indigenous peoples. Furthermore, conservation efforts in countries where indigenous peoples remain marginalized have had the least sustainable and successful outcomes, which has prompted scrutiny of international conservation policies. Despite the fact that conservation is gradually embracing a human rights-based approach, significant challenges remain in ensuring its effective implementation.

VI. Paradigm shift since 2003

39. At the global level, protected-areas policy is shaped by the International Union for Conservation of Nature (IUCN). A membership organization, as at April 2016, IUCN had 1,351 members, including 89 States, 128 government agencies, 48 affiliates, 112 international NGOs, and 974 national NGOs. The latter two categories include 12 indigenous peoples' organizations. Every four years, IUCN members meet at the World Conservation Congress, where resolutions are adopted on conservation policies, and every ten years a World Parks Congress is held to deliberate on global commitments related to protected areas. World Parks Congresses constitute the most important global forums for setting international standards and guidelines for protected areas. At the Congress held in Durban in 2003, the world's leading conservationists announced a "new paradigm" for protected areas which would respect the rights of indigenous peoples and local communities. This important shift in the approach to conservation was adopted in response to growing public opinion that conventional protected area models wrongly excluded or marginalized indigenous peoples and local communities from their governance and management.[33]

40. To implement this new vision for conservation, the Durban Accord and Action Plan were adopted.[34] Noting that the costs of the global protected area system had been inequitably borne by local communities, the Action Plan explicitly recognized the rights of indigenous peoples in relation to natural resources and biodiversity conservation and that the protected area system must take full account of the rights, interests and aspirations of indigenous peoples, as well as of their desire to have their lands, territories and resources secured and protected for their own social and cultural survival.

41. The Accord called upon the Conference of the Parties to the Convention on Biological Diversity to ensure that indigenous peoples and local communities fully participate in the establishment and management of protected areas and that mechanisms be put in place to guarantee that they share the benefits from these

[32] Toni Bauman and Dermot Smyth, "Indigenous partnerships in protected area management in Australia: three case studies" (Australian Institute of Aboriginal and Torres Strait Islander Studies and The Australian Collaboration, 2007).

[33] Conservation Initiative on Human Rights, "Human rights in conservation: progress since Durban", White Paper, November 2014.

[34] See https://cmsdata.iucn.org/downloads/durbanaccorden.pdf and https://cmsdata.iucn.org/downloads/durbanactionen.pdf.

areas. Likewise, protected area authorities were encouraged to promote the conditions and ensure the means for the effective engagement of indigenous peoples, local communities and other local stakeholders in conservation. The Action Plan relating to the recognition and guaranteeing of indigenous peoples' rights set out three major targets:

- All existing and future protected areas shall be managed and established in full compliance with the rights of indigenous peoples, mobile peoples and local communities
- Protected areas shall have representatives chosen by indigenous peoples and local communities in their management proportionate to their rights and interests
- Participatory mechanisms for the restitution of indigenous peoples' traditional lands and territories that were incorporated in protected areas without their free and informed consent shall be established and implemented by 2010.

42. Regretfully, these three Durban Action Plan targets are still far from being achieved. However, a number of steps have been taken by the IUCN community towards their achievement and new resolutions have been adopted by the World Conservation Congress, including the endorsement of the United Nations Declaration on the Rights of Indigenous People in resolution 4.052 (2008), calling upon all IUCN members to apply it in their respective activities. At the World Parks Congress held in Sydney, Australia, in 2014, IUCN members reiterated in the "Promise of Sydney Vision" their commitment to working in partnership with indigenous peoples, recognizing their long traditions and knowledge and collective rights to land, water, natural resource and culture.

43. Considerable critique has nevertheless been raised that effective implementation of the new paradigm has been lagging and that new policies have been slow in transferring from paper to practice.[35] Leading conservation organizations have recognized their lack of progress. In 2009, IUCN and seven other international conservation NGOs launched the Conservation Initiative on Human Rights, with the aim of improving conservation policy and practice by promoting respect for human rights.[36] The conservation organizations that are members of the Initiative have all committed to four basic principles to guide integration of human rights in each organization's policies and practices, including a commitment not to contribute to infringements of human rights.[37]

44. In preparing the present report, the Special Rapporteur organized a consultation and invited the Conservation Initiative organizations to share information on their progress in advancing respect for indigenous peoples' rights. The responses showed overall positive developments and a strong awareness of the importance of building partnerships with indigenous peoples based on explicit

[35] Forest Peoples Programme, "Conservation and indigenous peoples: assessing the progress since Durban", 2008; Janis Bristol Alcorn and Antoinette G. Royo, "Conservation's engagement with human rights: traction, slippage or avoidance?", *Policy Matters*, No. 15 (July 2007).

[36] The Conservation Initiative on Human Rights is a consortium consisting of Birdlife International, Conservation International, Fauna and Flora International, International Union for Conservation of Nature, The Nature Conservancy, Wetlands International, Wildlife Conservation Society and World Wildlife Fund.

[37] Conservation Initiative, "Human rights in conservation" (see footnote 33).

recognition of, and respect for, their rights. As stated by Conservation International, "stewards of some of the most biodiverse places on Earth, indigenous peoples play a unique and invaluable role in conserving nature's vital resources and they often draw on their own traditional knowledge to design management practices that are best suited for their lands".[38] The Special Rapporteur also held consultations with indigenous peoples on the theme.

45. IUCN has, through its World Conservation Congress, adopted numerous resolutions affirming indigenous peoples' rights; however, each individual IUCN member organization designs and implements their own internal policies and guidelines. The majority of the large conservation organizations have adopted specific policies on indigenous peoples' rights, and several have developed specific guidelines on how to implement free, prior and informed consent in their projects. The World Wide Fund for Nature (WWF) was the first international conservation organization to adopt principles on indigenous peoples' rights, already in 1996.

46. Most conservation organizations recognize that additional resources are needed for the dissemination of policies and for training of staff at the national level in order to advance the practical application of policies and guidelines on indigenous peoples' rights. Furthermore, monitoring of compliance and progress in advancing indigenous peoples' rights in practice still remains sorely lacking in many conservation organizations. Without such indicators, assessments of progress cannot be properly undertaken and transparency regarding how indigenous peoples' rights are promoted in practice will remain deficient.

47. Among the key challenges reported by conservation organizations in advancing in implementation at the national level are non-conducive political and legal settings in which indigenous peoples are not recognized. However, given the powerful position of conservation organizations vis-à-vis authorities in developing countries with weak rule of law, they should use their leverage better and more affirmatively in order to influence national authorities and advocate for legislative reform, the application of free, prior and informed consent and the restitution of ancestral lands of indigenous peoples. As indigenous rights to customary lands, territories and natural resources have yet to be effectively recognized in numerous countries, conservation organizations can play a key role in supporting indigenous peoples in such endeavours and encourage dialogue with authorities to this end. It is thus a positive development that several conservation organizations indicate that they are undertaking such efforts in numerous countries. The Special Rapporteur, however, urges that such engagement be significantly expanded to support legal and policy shifts in countries which still fail to recognize indigenous peoples' rights.

48. Examples of best practice reported include the mapping exercise facilitated by IUCN in Central America, which identified that the bulk of remaining forests and marine resources are within or bordering indigenous traditional lands. According to IUCN, the initiative provided a clear indication of the value and importance of supporting indigenous rights and tenure to meet conservation goals. WWF Indonesia states that, over the past five years, it has moved from including work with indigenous peoples under conservation targets to making it a specific target in itself, notably through working directly with indigenous peoples to document and integrate their territories in government plans, with a view to building stronger recognition of

[38] Conservation International submission to the Special Rapporteur, 3 May 2016.

indigenous peoples' rights and more effective and equitable governance. WWF Cameroon is advocating with the Government for formalized national free, prior and informed consent requirements and guidelines. Additional examples of positive practices reported are support by transnational corporations for securing collective land rights in Indonesia and the United Republic of Tanzania.

49. Most conservation organizations lack complaints and grievance mechanisms or are in the initial stages of developing such measures. As a positive initiative, Conservation International is currently designing a complaints mechanism, to be effective in 14 countries, in consultation with indigenous communities. In 2011, IUCN established the Whakatane Mechanism to undertake assessments with recommendations, in order to mediate in situations where indigenous peoples have been negatively affected by conservation measures. The first two pilot assessments took place in 2011 and 2012, in Mount Elgon, Kenya and in Ob Luang National Fark, Thailand. Implementation of the mechanism has, however, stalled and requires additional resources and support from IUCN members to become operational.

50. Several conservation organizations, including IUCN, WWF and Conservation International reported that they engage regularly with indigenous international forums or that they support the participation of indigenous representatives at key debates on environment and conservation. Some conservation organizations have established advisory bodies consisting of indigenous peoples and have ensured that indigenous peoples are represented in senior positions within their organization, including on their boards. In a positive development, IUCN is currently revising its membership requirements, in order to enable more indigenous organizations to join and formally engage in discussions on conservation policy and practice.

VII. Key conservation challenges and opportunities

51. The respective Special Rapporteurs on the rights of indigenous peoples have, since the establishment of the mandate in 2001, received numerous allegations of large-scale violations of the rights of indigenous peoples in the context of conservation measures. Among the consequences indigenous peoples have faced following forced displacement from protected areas are marginalization, poverty, loss of livelihoods, food insecurity, extrajudicial killings, and disrupted links with spiritual sites and denial of access to justice and remedy. The successive special rapporteurs have raised serious concerns over the impact that protected areas have had on indigenous peoples in a wide range of countries, including: Argentina, Botswana, Chile, Ecuador, Ethiopia, Honduras, Kenya, Mexico, Namibia, Nepal, the Russian Federation, South Africa and the United States of America.[39]

52. Many of these violations persist in countries where protected areas were declared prior to the introduction of rights-based conservation and where legal reforms in favour of indigenous peoples' rights remain deficient. The lack of collective land rights for indigenous people is a primary obstacle to ensuring that

[39] See A/HRC/21/47/Add.2 (Argentina); E/CN.4/2002/97/Add.1 (Botswana); A/HRC/32/53 (Chile); A/HRC/4/32/Add.2 (Ecuador); A/HRC/9/9/Add.1 (Ethiopia); A/HRC/33/42/Add.2 (Honduras); A/HRC/4/32/Add.3, A/HRC/15/37/Add.1 and A/HRC/26/21 (Kenya); E/CN.4/2004/80/Add.4 (Mexico); A/HRC/12/34/Add.3, A/HRC/9/9/Add.1 (Nepal); A/HRC/15/37/Add.5 (the Russian Federation); E/CN.4/2006/78/Add.2 (South Africa); A/HRC/15/37/Add.1 (Uganda); A/HRC/21/47/Add.1 (the United States of America).

rights-based conservation becomes effective, as are conflicting legal norms and failure to implement legislation effectively. The declaration of World Heritage status on protected areas adds additional complexities. The management and co-management of protected areas by indigenous peoples has to date only been applied to a limited extent but holds key potential in enhancing conservation in a manner which respects and enhances the rights of indigenous peoples.

A. Forced displacement and the failure to provide recognition of collective rights to lands, territories and natural resources

53. In Kenya, respective special rapporteurs have expressed long-standing concerns regarding the repeated evictions and forced displacement of several indigenous peoples, including the Ogiek and Sengwer from ancestral lands, which have been declared protected areas. The Ogiek have faced repeated evictions from their ancestral forest lands since the creation of the Mount Elgon national park in 1968 and further gazetting of their lands for the Chepkitale game park in 2000. The Sengwer continue to face displacement from the Embout forests, dating back to the 1970s. Forced away from their lands, indigenous peoples are denied their cultural and subsistence practices. Indigenous peoples who seek to return to their lands are regularly arrested and charged of poaching or even killed by armed "eco-guards". While indigenous peoples in Kenya have repeatedly emphasized their desire to engage in conservation, difficulties in settling collective land tenure remain a key obstacle.

54. A 2016 study by the Rainforest Foundation of 34 protected areas in five countries in the Congo Basin (Cameroon, Central African Republic, the Democratic Republic of the Congo, Gabon and the Republic of the Congo) found that indigenous communities have virtually no tenure security over their traditional lands in any of the five countries. The creation of at least 26 of the protected areas resulted in partial or complete relocation or displacement of local indigenous and farming communities present in the area prior to park establishment. In no case was any reparation for the displacements reported. Furthermore, of the 34 protected areas studied, 25 bordered with logging concessions, 19 overlapped with mining concessions and 9 overlapped with oil concessions.[40]

55. Protected areas constitute approximately 20 per cent of the total landmass in Nepal. The National Parks and Wildlife Conservation Act in that country provides no recognition of indigenous peoples' right to consultation or to access their traditional lands and resources. During a country visit in 2009, the Special Rapporteur received reports of mistreatment, arbitrary detention and sexual abuse of indigenous villagers, in particular indigenous women, by Chitwan National Park rangers and military officials (see HRC/12/34/Add.3, para. 37).

B. Inconsistent national legislation or poor application thereof

56. The U'wa indigenous peoples in Colombia request that the National Park of El Cocuy, partly overlapping with the territory over which they hold legal title, be fully incorporated into it and placed under their custodianship. For the U'wa, the

[40] Pyhälä, Orozco and Counsell, "Protected areas in the Congo Basin" (see footnote 6).

area has special spiritual and cultural significance, as the peak of the Cocuy mountain is home to the spirits and gods and cannot be tread upon without permission from U'wa spiritual authorities. The National Park was established in 1977, before the Constitution and national legislation was adopted on indigenous land rights, and the park remains under the jurisdiction of the government environment authorities. The U'wa reject the presence of settlers and tourism on the mountain and have expressed concern over the degradation of the park, claiming that the park authorities are not protecting the park properly. In discussions with government authorities, the U'wa have rejected co-management proposals and demanded to be designated the environmental authority for the protection of the park.

57. In India, Adivasis and tribal peoples have been evicted from tiger reserves for decades, often without any form of reparation. This continues to occur despite the Forest Rights Act of 2006, which only allows displacement from "critical wildlife habitats" if scientifically determined that the habitat is being damaged irreversibly and that co-existence is not possible. The Forest Rights Act stipulates that even then, displacement can only be carried out after obtaining free, prior and informed consent. In practice, however, displacement from protected areas continues across India through a combination of misinterpretation, coercion, and inducement. Reportedly, tribal peoples have faced prosecution for "offences" in protected areas, such as the traditional practice of collecting honey.[41]

58. Many States are still encumbered with legal, regulatory, and institutional frameworks developed for a strict wilderness conservation model. Commonly, agencies for protected areas and cultural heritage were institutionally separated from other government bodies to protect them from corruption and commercial interests. Independent or semi-independent agencies were given sovereign responsibility for decisions within protected areas in contradiction to other constitutional and legal provisions protecting the rights of indigenous peoples, resulting in overlapping jurisdictions.

59. An analysis undertaken by the NGO Rights and Resources Initiative in 2015 of 21 countries where conflicts affect indigenous peoples in protected areas concluded that inadequate, inconsistent and poorly implemented legislation is a key obstacle to advancing rights-based conservation. The same report noted that legal reforms undertaken since the 2003 World Parks Congress provide a measure of the response of countries to the "new paradigm" articulated in the Durban Accord. Their review of new legislation adopted between 2003 and 2014 showed that these years have largely represented a missed opportunity. Only 8 of the 21 countries enacted or reformed their protected area legislation related to community land and resource rights during this time period. Where such reforms occurred, they mostly focused on enabling co-management or making provisions for communities who already owned land to include their lands in national protected-area systems.[42]

[41] Harry Jonas, Dilys Roe and Jael E. Makagon, *Human Rights Standards for Conservation: An Analysis of Responsibilities, Rights and Redress for Just Conservation* (London, International Institute for Environment and Development, 2014).

[42] Springer and Almeida, "Protected areas and land rights" (see footnote 2).

C. World Heritage sites and tourism

60. Protected areas overlap with World Heritage sites in multiple instances. As raised by the previous Special Rapporteur (see A/67/301, paras. 33-42), the impact on indigenous peoples of the United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage sites is a recurring concern, notably because, on numerous occasions, these sites have been declared without consultation with indigenous peoples and have a serious negative impact upon their rights. Protected areas with heritage status have in several instances resulted in forced removal of indigenous peoples or significant restrictions on their access to livelihood resources and sacred sites.[43] Furthermore, heritage listings often lead to an unprecedented increase in tourism. Yet, the Operational Guidelines for Implementation of the World Heritage Convention, which set out the procedure for the inscription of properties on the World Heritage list and the protection and conservation of sites, do not require participation by indigenous peoples. All three of the United Nations mechanisms dedicated specifically to promoting the rights of indigenous peoples, namely, the United Nations Permanent Forum on Indigenous Issues, the Expert Mechanism on the Rights of Indigenous Peoples and the Special Rapporteur, have called for reforms on how the Convention is applied, underlining the urgent need to reform the Operational Guidelines through which potential heritage sites are assessed, so that they are aligned with the Declaration on the Rights of Indigenous Peoples and adopt procedures to ensure indigenous peoples' free, prior and informed consent.

61. There are numerous examples of protected areas with heritage status over which concerns have been raised by indigenous peoples. In Kenya, the designation of Lake Bogoria National Reserve as a World Heritage site in 2011 was undertaken without the consent of the indigenous Endorois community, despite the ruling by the African Court on Human and Peoples' Rights in favour of the Endorois indigenous peoples' rights in 2009. The Endorois people have expressed concern that the Government of Kenya may use the World Heritage status as a pretext for denying them restitution, as required by the Court's decision.[44]

62. In Argentina, the Special Rapporteur observed during a country visit in 2011 that after the Quebrada de Humahuaca was listed by UNESCO as a World Heritage site in 2003, there was a huge increase in tourism and in the economic value of the land occupied by indigenous peoples. The provincial government had issued land titles to foreign investors, and as a result, the surrounding indigenous communities were dispossessed of their land and had fewer water resources. The communities were not involved in the management of the site and derived no economic benefits therefrom. The Special Rapporteur recommended increased participation by indigenous peoples in the management of the site (see A/HRC/21/47/Add.2, paras. 50 and 97).

63. In Thailand, the Government requested the listing of the Kaeng Krachen National Park in 2013 as a World Heritage park in 2013 without consulting the local

[43] Stephan Disko and Helen Tugendhat, eds., *World Heritage Sites and Indigenous Peoples' Rights* (Copenhagen, International Work Group for Indigenous Affairs, Forest Peoples Programme, Gundjeihmi Aboriginal Corporation, 2014).

[44] International Work Group for Indigenous Affairs, submission to the Special Rapporteur, May 2016.

indigenous Karen peoples. The Karen have experienced forced evictions, destruction of housing and crops, arrests and enforced disappearances. On 17 April 2014, a Karen human rights defender disappeared after attending a meeting on a lawsuit against park officials for destruction of Karen housing in 2010/2011. Park officials acknowledged having detained him earlier that day for illegal possession of wild honey, but claimed to have released him subsequently. His whereabouts have been unknown since. The Karen have expressed concerns over the potential listing of the park as a World Heritage site, fearing that it would result in further evictions, prohibitions on the gathering of wild honey and herbs and an increase of tourism, which would affect the environment negatively, creating problems, notably with waste management. The Office of the United Nations High Commissioner for Human Rights has advised the World Heritage Committee to ensure that comprehensive consultations are held by the Thai Government with Karen communities, to ensure respect for their rights, to refrain from evictions and to ensure that the communities can participate in the management of the park if it is designated a World Heritage park.[45]

64. If the designation of World Heritage sites is done constructively and with the consent of the indigenous peoples affected, such status could provide an effective contribution to conservation and the protection of indigenous rights. In 2011, the World Heritage Committee incorporated the uranium-rich Koongarra area into the Kakadu National Park World Heritage site, at the joint request of the Government of Australia and the indigenous landowners, the Djok clan, which in effect barred future mineral development in the area.[46]

D. Indigenous management of protected areas

65. Over the past decade, increasing evidence supports the correlation between secure indigenous tenure and positive conservation outcomes, at times better than those achieved in State-managed protected areas. The effectiveness of indigenous-owned lands in resisting deforestation in Brazil is well known. In Namibia, community-based wildlife management has resulted in significant growth in wildlife populations, especially in areas that had formerly been subject to heavy poaching. In Australia and the United States of America, indigenous peoples effectively manage or co-manage protected areas, through dynamic and sustainable partnerships which seek to redress past exclusion policies. In the Philippines, the national Indigenous Peoples' Rights Act includes a provision that protected areas within or overlapping ancestral domains will remain protected but that indigenous communities have primary responsibility for maintaining and protecting such areas. The law governing protected areas in the Philippines, the National Integrated Protected Areas Act, calls for indigenous peoples' participation in protected-area management boards. However, certain obstacles remain. For example, indigenous participation in management boards is impeded by a lack of training and orientation for indigenous peoples on their roles and responsibilities and such meetings tend to be conducted using overly technical language.[47]

[45] Office of the United Nations High Commissioner for Human Rights submissions to the UNESCO World Heritage Committee, 26 November 2014.

[46] International Work Group for Indigenous Affairs submission to the Special Rapporteur, May 2016.

[47] Springer and Almeida, "Protected areas and land rights" (see footnote 2).

66. The management capacity of indigenous peoples is recognized as part of the new conservation paradigm. IUCN has committed to advocating for the recognition of "indigenous peoples and local community conserved territories and areas" in conservation policy as a new governance category. Yet, over the past decade only limited progress has been made towards their recognition and such governance still only exist in less than 5 per cent of all protected areas. Significant expansion of areas under indigenous management, coupled with solid partnerships with indigenous peoples for knowledge exchange, remain key opportunities for States and conservationists to operationalize the participation of indigenous peoples in conservation.

67. As the creation of protected areas and emerging conservation activities is further advanced by climate change initiatives, notably reducing emissions from deforestation and forest degradation in developing countries, and the role of conservation, sustainable management of forests, and enhancement of forest carbon stocks in developing countries, the active participation of indigenous peoples in these processes is essential to their sustainable success. The Special Rapporteur will continue to monitor these ongoing developments.

VIII. Conclusions

68. While the high rate of biodiversity in indigenous ancestral lands is well established, the contribution of indigenous peoples to conservation has yet to be fully acknowledged. Although a new rights-based paradigm to conservation has been advancing during the last decades, it remains in its initial stages of being applied. Rights-based conservation measures continue to be hampered by the legacy of past violations and by the lack of legal recognition by States of indigenous peoples' rights. Conservation organizations and indigenous organizations could be powerful allies in their mutually shared goals to safeguard biodiversity and protect nature from external threats such as unsustainable resource exploitation. Protected areas continue to expand, yet threats against them from extractive industry, energy and infrastructure projects are also increasing, and thus the urgency to address effective, collaborative and long-term conservation is of paramount importance. The escalating incidence of killings of indigenous environmentalists highlights the importance of conservationists and indigenous peoples joining forces.[48] Insecure collective land tenure continues to undermine the ability of indigenous peoples to effectively protect their traditional lands, territories and natural resources. Conservation organizations should make much more use of their leverage vis-a-vis States to advocate for the legal recognition of indigenous peoples' rights at the national level.

69. Full recognition of indigenous land rights and participation are key enabling conditions for conservation to be sustained. The Durban Action Plan which states that all existing and future protected areas shall be managed and established in full compliance with the rights of indigenous peoples and the Sydney Vision which promised that there should be redress and remedy for past and continuing injustices in accord with international agreements are

[48] Global Witness, *2015's Deadly Environment: the Killing and Criminalization of Land and Environmental Defenders Worldwide*, June 2016.

powerful commitments of the conservation community. The Special Rapporteur believes that the effective implementation of these commitments can operationalize the human rights-based conservation paradigm.

IX. Recommendations

To States:

70. Undertake all necessary measures for the effective implementation of the United Nations Declaration on the Rights of Indigenous Peoples and ratify the ILO Indigenous and Tribal Peoples Convention No. 169.

71. Adopt all necessary policy, legal and administrative measures for the full recognition of the rights of indigenous peoples over their lands, territories and resources as enshrined in international human rights law.

72. Review and harmonize the environmental, legal and institutional framework with their obligations regarding the rights of indigenous peoples and ensure that a rights-based approach is applied to the creation or expansion of existing protected areas.

73. Comply with the duty to consult and obtain the free, prior and informed consent of indigenous peoples before the development of conservation initiatives which may affect their rights.

74. Support partnerships between government authorities and indigenous peoples to encourage intercultural engagement in order to build trust and collaboration to favour of shared goals of sustainable conservation.

75. Comply with judgments and decisions of international and regional human rights monitoring mechanisms regarding indigenous peoples' rights.

76. Establish accountability and reparation mechanisms for infringements on indigenous rights in the context of conservation and provide redress for historical and contemporary wrongs.

To conservation organizations:

77. Respect and support the rights of indigenous peoples as recognized in international human rights law and enhance their ability to engage in conservation by advocating for recognition of their collective rights.

78. Shift the new paradigm from paper to practice; adopt human rights-based policies, including on the rights of indigenous peoples, and ensure effective dissemination of these and trainings for conservation staff, especially for those involved in implementation at the national and local level.

79. As part of due diligence, improve monitoring and include compliance with indigenous peoples' rights in regular project assessments. Ensure that information obtained through monitoring and reporting is transparent and accessible.

80. Develop mechanisms for solid partnerships for regular and continuous engagement with indigenous peoples, including ensuring their full and effective participation in designing, implementing and monitoring conservation initiatives.

81. Support indigenous peoples to develop and sustain their own conservation initiatives and exchange conservation management experiences with them. This will allow learning from indigenous traditional conservation measures and transfer of technical skills to engage indigenous peoples in protected areas management.

82. Ensure that culturally appropriate complaints mechanisms are available for indigenous peoples to voice their concerns over conservation initiatives and support initiatives for indigenous peoples' right to remedy in cases when conservation activities have negatively impacted their rights.

To donors:

83. Require that conservation organizations adopt human rights policies and monitor the application of human rights-based conservation programmes, notably in relation to indigenous peoples' rights.

84. Provide direct funding to better support indigenous peoples' own initiatives for conservation.

To UNESCO:

85. Reform the Operational Guidelines through which the World Heritage Convention is implemented to align them with the United Nations Declaration on the Rights of Indigenous Peoples and adopt procedures to ensure indigenous peoples' free, prior and informed consent.

To human rights monitoring mechanisms and relevant United Nations bodies and agencies:

86. Devote further attention to monitoring the impact conservation measures have on indigenous peoples, in order to promote a rights-based approach to protected areas management by government authorities and conservation organizations.

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Sustainable development: disaster risk reduction

Implementation of the Sendai Framework for Disaster Risk Reduction 2015-2030

Report of the Secretary-General

Summary

The present report provides an overview of progress on the implementation of the Sendai Framework for Disaster Risk Reduction 2015-2030, as requested by the General Assembly in its resolution 70/204.

Disasters exact an enormous toll on economic development, conservatively estimated at between $250 and $300 billion annually. However, these figures mask a disproportionately large impact on low-income countries, which incur average annual losses from disasters equivalent to 22 per cent of social spending. These costs are increasing rapidly owing to a failure to incorporate disaster risk in economic, social and environmental investments and as a result of climate change. Without a radical change of course, disasters will continue to reverse development gains and undermine efforts to achieve the Sustainable Development Goals.

Disaster risk reduction, as reflected in the Sendai Framework for Disaster Risk Reduction 2015-2030, represents such a change of course. It provides a practical and tangible bridge between the development and humanitarian communities, as well as an important rallying point for Governments and key stakeholders, including civil society and the private sector, to reduce disaster and climate risk.

During the first year of implementation, plans and approaches at all levels have been reviewed and revised by many Member States to align them with the Sendai Framework. Many new partnerships have been established. Extensive work has been undertaken on the global monitoring system for the Sendai Framework, including on the indicators for the global targets and updating the terminology.

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Reducing disaster risk is a collaborative endeavour. Concerted efforts have been made to establish coherence with other internationally agreed agendas and frameworks, including the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, the 2030 Agenda for Sustainable Development and the Paris Agreement on climate change.

In accordance with General Assembly resolutions 69/218 and 70/110, the present report also includes an update on El Niño/La Niña conditions and a section on addressing the socioeconomic and environmental impacts of the 2015/16 El Niño phenomenon.

I. State of disaster risk

1. Disasters represent a substantial setback to development. A number of drivers resulting from human activity and poorly risk-informed development investments continue to push disaster risk to unacceptable levels. These drivers include pervasive poverty and inequality, rapid and poorly managed urban growth, environmental degradation, climate change and governance frameworks that underestimate disaster risk. As a result, disasters continue to damage and destroy critical assets and livelihoods and undermine years of social and economic development.

2. The 2015/16 El Niño phenomenon was one of the strongest observed over the last 50 years, and its impacts were felt worldwide. Severe tropical cyclones affected the Pacific islands and South-East Asia. Heavy rains caused severe flooding in southern India in November 2015. In Ecuador, between July 2015 and June 2016 there were more than 200 floods and landslides linked with El Niño.[1] At the same time, 2015 was the hottest year on record. Heatwaves between June and September claimed the lives of more than 7,000 people in Africa, the Middle East and Europe, while the 2016 heatwave and drought in South Asia is set to affect millions of people.

3. Far from being exceptions, these weather-related events are becoming the new normal as climate change increases the intensity, frequency and variability of extreme weather conditions. Their environmental and socioeconomic consequences, including significant impacts on health and food security, are already being felt, with women and girls often disproportionately affected.

4. While the majority of disasters are associated with weather-related events, risks associated with geophysical hazards also threaten. In Japan and Ecuador in April 2016 about 7,000 homes and buildings were damaged[2] by earthquakes and 650 people lost their lives. Moreover, serious outbreaks of communicable diseases around the globe, including cholera, yellow fever, Zika virus and Lassa fever, highlight the importance of investing in resilient health systems. Global average annual loss from earthquakes, tsunamis, cyclone winds and storm surges alone are estimated at 1.2-1.7 per cent of annual global gross domestic product (GDP). Add to this the requirements for climate change adaptation investments of around 1 per cent of GDP,[3] and these combined costs could cancel out the projected global GDP growth rate of around 3 per cent annually.[4] Taking into account the expected impact of climate change, the average annual loss may be significantly larger in the future.[5] In several countries in Asia and Latin America, average annual loss already exceeded the average annual growth rate over the 10 years between 2000 and 2010. However, these figures mask a disproportionately large impact on low-income countries, which incur average annual losses equivalent to 22 per cent of social spending.

5. Major investments in infrastructure, urban development, health systems, education, transportation, communications, water, agriculture, energy and other vital

[1] See www.desinventar.net.

[2] See http://reliefweb.int/updates.

[3] *Stern Review on the Economics of Climate Change*, 2006.

[4] See www.worldbank.org/en/publication/global-economic-prospects.

[5] Indian Institute for Human Settlements.

sectors continue to be made without considering disaster risk. Accumulating disaster risk presents a growing obstacle to making the capital investments and social expenditure necessary to achieve the Sustainable Development Goals and other internationally agreed agendas and frameworks.

II. Integrated approach to implementing and monitoring the reduction of disaster risk

6. With the adoption of the Sendai Framework for Disaster Risk Reduction 2015-2030, the international community made a firm commitment to prioritize disaster risk reduction. Each of the landmark agreements reached in 2015, namely the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, the 2030 Agenda for Sustainable Development, and the Paris Agreement on climate change, reaffirms the need to reduce disaster risk. Together with relevant international agreements, such as the SIDS Accelerated Modalities for Action (SAMOA) Pathway, adopted in 2014, they represent an unprecedented opportunity to provide a more coherent and integrated global policy framework for managing disaster risk and strengthening resilience.

Coherence with other internationally agreed agendas and frameworks

7. Disaster risk can be managed only through the processes which create it. Therefore, the Sendai Framework puts forward a disaster risk management paradigm to be applied across all relevant agendas and sectors. Coherence, effective linkages and mutual reinforcement between the implementation of the Sendai Framework and the other international agreements can be achieved in a number of ways.

8. The Third United Nations World Conference on Disaster Risk Reduction, held in March 2015, invited the General Assembly to consider including the review of global progress in implementing the Sendai Framework as part of its integrated and coordinated follow-up processes to United Nations conferences and summits, aligned with the Economic and Social Council and the high-level political forum on sustainable development which, in accordance with General Assembly resolution 70/299, will provide effective linkages between the follow-up and review arrangements for all relevant United Nations conferences and processes.

9. The Sendai Framework will have an important role in the achievement of the 2030 Agenda for Sustainable Development and vice versa. In fact, 10 of the 17 Sustainable Development Goals have targets related to disaster risk reduction. Similarly, all seven global targets of the Sendai Framework are critical for the achievement of the Sustainable Development Goals. A number of shared core indicators related to disaster risk reduction are being finalized through the open-ended intergovernmental expert working group on indicators and terminology relating to disaster risk reduction and the Inter-Agency and Expert Group on Sustainable Development Goal Indicators. Shared indicators can reduce the reporting burden on countries while contributing to the implementation and monitoring of both frameworks. Through concerted implementation, both can shape public and private sector efforts and build partnerships to address the underlying drivers of risk and reduce future levels of risk.

10. To ensure that development efforts avoid creating new risk, the Addis Ababa Action Agenda encourages the consideration of climate and disaster resilience in development financing. Through the Action Agenda, Member States have committed to develop and implement a holistic approach to disaster risk management in line with the Sendai Framework, including through technical support and innovative financing mechanisms. Equally, achieving the Sendai Framework's global targets of increasing the number of countries with disaster risk reduction strategies and enhancing international cooperation through adequate and sustainable support will contribute to the Action Agenda.

11. Reducing disaster risk is an essential part of efforts to address climate change. While holding the increase in the global average temperature to well below 2°C above pre-industrial levels will reduce the risks and impacts of climate change, the Paris Agreement also established a goal on climate adaptation that considers enhancing adaptive capacity, strengthening resilience and reducing risk and vulnerability to climate change. Signatories to the Agreement recognize that disaster risk reduction tools can significantly reduce loss and damage associated with the adverse effects of climate change. In this regard, coherence between the Sendai Framework and the Paris Agreement in terms of aligning tools and metrics and leveraging partnerships and initiatives for implementation can greatly contribute to climate change adaptation and sustainable development.

12. The Global Platform for Disaster Risk Reduction and the regional platforms for disaster risk reduction will play a critical role in supporting the coherent implementation and monitoring of the Sendai Framework. The global and regional platforms are currently aligning their agendas and methods to drive coherence in implementation across the various internationally agreed agendas and frameworks. The outcomes of the global and regional platforms will provide substantive inputs to the high-level political forum when it discusses specific Sustainable Development Goals and the contribution of disaster risk reduction to the themes of the Forum's sessions in 2017, 2018 and 2019.

13. The upcoming quadrennial comprehensive policy review will be an opportunity to ensure consistency and alignment across all aspects of the 2030 Agenda at country level. It provides an opportunity to further harmonize the implementation of the Sendai Framework and the Sustainable Development Goals on the ground. Efforts by United Nations country teams to bring their disaster and climate risk activities in line with the Sendai Framework can significantly contribute to the quadrennial comprehensive policy review to ensure that disaster risk reduction considerations are fully integrated into the work of the United Nations at country level.

14. The Istanbul Programme of Action for Least Developed Countries for the Decade 2011-2020 and the Sendai Framework both recognize the particular vulnerability of least developed countries to disasters and the impacts of climate change. At the Comprehensive High-level Midterm Review of the Implementation of the Istanbul Programme of Action, held in May 2016, Member States underlined the need to strengthen the resilience of least developed countries to withstand disasters and climate change. The Sendai Framework was highlighted as a means to develop and implement integrated disaster risk reduction strategies among least developed countries.

15. Commitments made at the World Humanitarian Summit in May 2016 can contribute to the implementation of internationally agreed agendas and frameworks. At the Summit, global leaders recognized that supporting the implementation of the Sendai Framework had direct benefits for reducing humanitarian needs and associated cost. Therefore, follow-up on the core responsibility of the Summit to move from delivering aid to ending needs, including through investing in prevention and preparedness, improving practices around data collection, risk analysis and early warning, and establishing multisectoral partnerships to advance resilience and preparedness, can contribute to achieving the Sendai Framework's global targets.

16. In June 2016, the International Law Commission adopted the draft articles on the protection of persons in the event of disasters (A/CN.4/L.871). In particular, draft article 9 on reduction of the risk of disasters represents a critical contribution to the development of normative frameworks for disaster risk reduction. Overall, there is a strong alignment and complementarity as well as a functional relationship between the draft articles and the Sendai Framework, in that the former articulate the duty to reduce the risk of disasters and to cooperate, and the latter articulates modalities and measures that States need to adopt to discharge this duty.

Measuring progress through the Sendai Framework monitor

17. Pursuant to paragraph 50 of the Sendai Framework, the General Assembly established the open-ended intergovernmental expert working group to develop indicators to measure progress in implementing the Sendai Framework's seven global targets and to update the publication entitled "2009 UNISDR Terminology on Disaster Risk Reduction". A total of 107 Member States have nominated over 250 experts from a variety of national ministries and departments. In addition, representatives of United Nations entities and participants from civil society organizations, the private sector, and scientific, technical and academic institutions are providing technical support during the process. The work of the working group will be completed by December 2016 with a report submitted to the General Assembly for its consideration.

18. The intergovernmental expert working group has paid close attention to the work of the Inter-Agency and Expert Group on Sustainable Development Goal Indicators while members of the latter group recognize the need for coherence between the Sendai Framework indicators and disaster risk-related indicators in the Sustainable Development Goals. It is anticipated that the Inter-Agency and Expert Group will utilize the indicators developed by the intergovernmental expert working group in its proposed list of indicators related to disaster risk reduction under Sustainable Development Goals 1, 11 and 13.

19. To support Member States in their self-assessment and reporting on the global targets of the Sendai Framework, an online Sendai Framework monitor will be launched at the fifth session of the Global Platform for Disaster Risk Reduction, to be held in May 2017. The monitor will support States in the collection of data and the establishment of baselines required to report against the agreed set of indicators through periodic national self-assessment using national disaster loss databases and other relevant national datasets. The Sendai Framework monitor will include options for monitoring nationally developed targets and indicators. To assist States, a suite of possible indicators for measuring progress against national targets is being tested in five countries.

National and local disaster risk reduction strategies

20. The global target of the Sendai Framework to "substantially increase the number of countries with national and local disaster risk reduction strategies by 2020" is a prerequisite for achieving the other targets. Member States have committed to developing new and improving existing disaster risk reduction strategies and plans with clear targets and indicators by 2020. The United Nations Office for Disaster Risk Reduction offers support to Member States in achieving this target through technical guidance as well as by providing coordination support and catalyzing actions of the United Nations system and other partners. For example, in June 2016, India released its first National Disaster Management Plan, which is based on the four priorities for action of the Sendai Framework.

21. To be able to develop national plans with measurable targets and indicators, and to monitor progress against these, countries will need to prepare baselines on key indicators such as current losses, national and local risk profiles and available capacities. Currently, around 45 per cent of Member States have national disaster loss databases. This gap will need to be closed in order to generate a global baseline.

22. Further support to countries is required for the formulation of targets for national strategies and plans; the selection of appropriate indicators to measure progress; the identification and analysis of challenges and lessons; the review of data availability to establish baselines; the active engagement of all relevant sectors and the establishment of feedback mechanisms; the alignment of indicators with sustainable development and climate change adaptation; and the review of national plans and implementation. Coordinated action across the United Nations system, the science and technology community, the private sector and civil society will be crucial.

United Nations Plan of Action on Disaster Risk Reduction for Resilience: "Towards a risk-informed and integrated approach to sustainable development"

23. The Sendai Framework calls upon the United Nations system to support disaster risk reduction efforts in a coordinated manner, bringing together coherently the work of the various United Nations entities. This reflects the broader expectation of Member States for support that maximizes synergies and optimizes the efficient use of financial and other resources. In accordance with General Assembly resolution 70/204, the present report considers the requirements of the United Nations system to support the implementation of the Sendai Framework and includes an update on progress on the United Nations Plan of Action on Disaster Risk Reduction for Resilience.

24. The United Nations System Chief Executives Board for Coordination called for a revision of the 2013 United Nations Plan of Action on Disaster Risk Reduction for Resilience to align it with the Sendai Framework and ensure strategic and programmatic linkage with the 2030 Agenda and the Paris Agreement. Subsequently, the United Nations Office for Disaster Risk Reduction led an inter-agency process to produce the revised United Nations Plan of Action on Disaster Risk Reduction for Resilience entitled "Towards a risk-informed and integrated approach to sustainable development", which was endorsed by the Board in April 2016.

25. The Plan of Action outlines 3 commitments and 11 expected results. The commitments aim to strengthen system-wide coherence in support of the Sendai Framework, and other agreements, through risk-informed and integrated approaches; to build the capacity of the United Nations system to deliver coordinated, high-quality support to countries on disaster risk reduction; and to ensure that disaster risk reduction remains a strategic priority for United Nations entities.

26. The Plan of Action calls on United Nations entities to prioritize disaster risk reduction in their strategic work plans; to regularly monitor and report on progress; and to engage their respective constituents to implement the Sendai Framework. In particular, the Plan of Action emphasizes the need for operational guidance and more tangible support to United Nations country teams. As part of his functions to drive integration of disaster risk reduction into sustainable development, the Special Representative of the Secretary-General for Disaster Risk Reduction will lead implementation and promote coordination and will convene a United Nations leadership group to oversee operationalization of the plan, review progress and ensure coherence across the United Nations development system.

27. A number of United Nations country teams around the world have already updated their United Nations Development Assistance Frameworks in line with the Sendai Framework. Recognizing disaster and climate resilience as an integral component of sustainable development has prompted the incorporation of disaster risk reduction and resilience into national planning documents and Development Assistance Frameworks in at least 31 countries. The revised interim guidance on the Framework, issued in May 2016, identifies risk management as one of four key enablers for integrated programming.

28. Several United Nations entities and international organizations recognize their important role in reducing disaster risk and the significant contributions that their work can make in implementing the Sendai Framework. The following few examples are indicative of the wide range of ongoing disaster risk reduction initiatives.

29. The midterm review of the United Nations Development Programme (UNDP) Strategic Plan (2014-2017) reaffirmed disaster risk reduction and recovery as global priorities, with an annual programme expenditure for disaster risk reduction and recovery of approximately $256 million. Subsequently, with support from UNDP, in 2015, 51 countries developed disaster risk reduction and climate change adaption plans; 28 countries produced preparedness plans; 26 countries strengthened early warning systems; and 13 countries built capacity to lead and coordinate recovery efforts. Furthermore, UNDP is leading a partnership initiative titled 5-10-50, which delivers risk-informed development with a focus on five critical areas, in line with the Sendai Framework. It will be implemented over 10 years in at least 50 countries. The Capacity for Disaster Reduction Initiative, an inter-agency initiative led by UNDP, is another example of coordinated support to Governments to build national capacities for disaster risk reduction.

30. The International Organization for Migration (IOM) is leading the way in implementing the Sendai Framework to reduce the vulnerability of people displaced by crisis, with approximately $68 million allocated to 62 ongoing projects in 20 countries. IOM works with Governments to formulate policies to manage planned relocation of settlements in highly disaster-prone areas; supports communities at

risk of displacement by disasters to enhance their preparedness and to "build back better"; and provides durable and safe solutions for people living in displacement camps by mainstreaming disaster risk reduction into shelter construction.

31. In order to ensure that development assistance is risk-informed, in 2015 all 255 World Bank Group operations in low-income countries were screened to assess their consideration of climate and disaster risk, and over 90 countries received support to mainstream disaster resilience in their development priorities. This approach has been bolstered by the Global Facility for Disaster Reduction and Recovery, a global partnership housed at the World Bank which provides seed money and capacity support to facilitate the implementation of the Sendai Framework and to mainstream disaster risk management into national development plans.

III. Progress in implementing the Sendai Framework

32. Implementation of the Sendai Framework builds on countries' ongoing efforts initiated under the Hyogo Framework for Action 2005-2015. While the structures for the efficient implementation and monitoring of the Sendai Framework are being put in place, important preliminary results have already been achieved during its first year of implementation.

A. Preparations for the Global Platform for Disaster Risk Reduction and the regional platforms

33. Preparations are under way for the fifth session of the Global Platform for Disaster Risk Reduction, to be hosted by the Government of Mexico in Cancun from 22 to 26 May 2017. As the first Global Platform to be held since the adoption of the Sendai Framework, it will be an opportunity to assess progress on implementation and to share innovative practice and knowledge on disaster risk-informed policies, programmes and investments, while offering a space to forge new partnerships and promote the integration of disaster risk management.

34. In 2017 the Global Platform will take stock of the progress made in implementing the Sendai Framework, with specific focus on the imminent target to substantially increase the number of countries with disaster risk reduction strategies by 2020, as well as targets to reduce global disaster mortality and direct disaster-related economic loss by 2030. Progress in defining baselines and risk profiles, including the establishment or enhancement of systems to record disaster losses, will also be examined, while the announcement of cutting-edge disaster risk reduction initiatives will help drive implementation. As active and broad consultation is critical to the successful outcome of the Global Platform, an online consultation process has been initiated for Member States and stakeholders.

35. Outcomes of the Global Platform will be captured in a chair's summary and a high-level communiqué which will inform the deliberations of the 2017 session of the high-level political forum on sustainable development under the auspices of the Economic and Social Council to further foster integration between Sendai Framework global targets and the Sustainable Development Goals and other relevant international and regional bodies.

36. The Global Platform will be informed by the discussions and outcomes of the regional platforms for disaster risk reduction to be convened in 2016 and 2017. Regional platforms are key instruments to advance the implementation of the Sendai Framework and monitor its progress. Efforts are being made to align the regional platforms with the Framework's targets and to standardize the discussions, outcomes and monitoring tools between the global and regional platforms.

37. For example, political support for the coordinated implementation of the Sendai Framework across Africa was solidified at the fourth high-level meeting on disaster risk reduction hosted in Yaoundé by the Government of Cameroon on 23 July 2015. Adopted in a spirit of regional cooperation and coherence, the Yaoundé Declaration lays a solid foundation for implementing the Sendai Framework, including within the organs of the African Union, and calls for a review of the successor to the Extended Programme of Action for the Implementation of the Africa Regional Strategy for Disaster Risk Reduction (2006-2015) in line with the Sendai Framework. The successor document will be tabled for agreement at the forthcoming sixth session of the Africa Regional Platform for Disaster Risk Reduction, to be held in Port Louis from 22 to 25 November 2016. Similarly, the League of Arab States has produced a regional road map for the implementation of the Sendai Framework which will guide discussions at the third Arab Conference on Disaster Risk Reduction to be held in 2016.

38. The first session of the Central Asia and South Caucasus Regional Platform for Disaster Risk Reduction was hosted by the Government of Tajikistan in Dushanbe on 12 July 2016. At the meeting, Governments made progress on the establishment of a regional coordination mechanism for the implementation of the Sendai Framework. The outcomes of this regional platform, as well as of the Pacific Platform for Disaster Risk Management, to be held in October 2016 in Suva, will inform the development of policy recommendations and plans of actions at the sixth Asian Ministerial Conference for Disaster Risk Reduction, to be hosted by the Government of India in New Delhi in November 2016.

39. At the sixth annual meeting of the European Forum for Disaster Risk Reduction, held in October 2015, the Forum adopted a road map on the implementation of the Sendai Framework, specifically aligned to the 2020 target of the Framework. The European Forum for Disaster Risk Reduction Working Group is currently developing an action matrix for the road map's priorities, which will provide guidance to implement integrated disaster risk reduction activities across Europe.

40. The first meeting of ministers and high-level authorities on the implementation of the Sendai Framework was hosted by the Government of Paraguay on 8 and 9 June 2016 in Asunción. Governments from across the region adopted the Asunción Declaration and initiated a consultation process to formulate an action plan to implement the Sendai Framework across the Americas, to be adopted at the Americas Regional Platform for Disaster Risk Reduction, to be hosted by the Government of Canada early in 2017.

B. Strengthening regional-level action to implement the Sendai Framework

41. Regional intergovernmental organizations, supported by the United Nations Office for Disaster Risk Reduction, are playing a central role in reducing disaster risk through the exchange of good practice, the standardization of region-specific codes and guidelines, the adoption of common information and early warning systems and the dissemination of tried and tested tools and methodologies. A number of regional intergovernmental organizations are aligning their work to the Sendai Framework and the outcomes of the regional platforms for disaster risk reduction and are guiding coordinated efforts to implement the Sendai Framework at the regional level.

Africa

42. The eighth session of the Africa Working Group on Disaster Risk Reduction was convened in Addis Ababa in February 2016 and a road map was developed with specific recommendations to guide the African Union Commission, regional economic communities and Member States in implementing the Sendai Framework. Furthermore, the East African Legislative Assembly adopted the East African Disaster Risk Reduction and Management Act in March 2016 to promote cross-border cooperation as well as national implementation of disaster risk reduction. In Central Africa, following the adoption of the Central Africa Regional Strategy for Risk Prevention, Disaster Management and Climate Change Adaptation, the Economic Community of Central African States established a disaster risk reduction and climate change adaptation unit. The Intergovernmental Authority on Development (IGAD) Climate Prediction and Application Centre organized three climate outlook forums for the Greater Horn of Africa which provided short- and medium-term weather forecasts to facilitate early warning and action. The United Nations Office for Disaster Risk Reduction provided disaster risk reduction training to some 50 staff from different departments of the IGAD and East African Community secretariats. Lastly, the Secretariat of the Southern African Development Community convened the fifth Africa Leadership Development Forum on Mainstreaming Adaptation and Disaster Risk Reduction into Development.

Arab States

43. Guided by the principles of the Sendai Framework, a review of the League of Arab States Arab Strategy for Disaster Risk Reduction 2020 gave rise to a more comprehensive and coordinated strategy that brings together the commitments from the two Arab regional platforms into line with the Sendai Framework targets and priorities for action. Subsequently, the Council of Arab Ministers Responsible for the Environment endorsed a regional road map to implement the Sendai Framework which includes the reactivation of an Arab mechanism for disasters, to facilitate coordinated implementation and monitoring across the region.

Asia and the Pacific

44. The Association of Southeast Asian Nations (ASEAN) has adopted the 2016-2020 work programme of its Agreement on Disaster Management and Emergency Response. This work programme provides regional road maps and strategies on risk assessment, risk financing and insurance, resilient infrastructure and basic services,

as well as capacity-building for its member States. In addition, the ASEAN-United Nations Plan of Action for 2016-2020 to implement the ASEAN-United Nations strategic partnership is due to be tabled at the ASEAN-United Nation Summit to be held in September 2016. The Plan of Action provides an opportunity for disaster risk reduction to be integrated across the Association's work on peace and security, economic growth, and social and cultural development.

45. The Secretariat of the Economic Cooperation Organization is working on a regional strategy for disaster risk reduction aligned with the Sendai Framework. The strategy will enhance collaboration among its 10 member States to integrate disaster risk reduction into economic cooperation in the region.

46. In South Asia, the South Asian Association for Regional Cooperation is developing a new strategy to facilitate an integrated approach to disaster risk reduction and sustainable development and to support the implementation of the Sendai Framework. To this end, the newly created Disaster Management Centre, which brings together the Association's work on disaster risk reduction, the environment and coastal ecosystems, has developed the South Asian Disaster Knowledge Network as a gateway to knowledge and information on disaster risk management. The Centre also produced a disaster management framework, road maps for disaster management across a number of thematic areas and a set of school safety assessment tools tailored to the region.

47. The proposed Framework for Resilient Development in the Pacific: An Integrated Approach to Address Climate Change and Disaster Risk Management aims to strengthen the resilience of Pacific Island communities to the impacts of slow and sudden-onset natural hazards by integrating climate change mitigation and adaptation efforts with disaster risk reduction approaches and activities towards sustainable development. The proposed Framework will be presented to the Pacific Leaders Forum in September 2016 for endorsement. In order to reduce the burden of reporting, efforts will be made to harmonize reporting mechanisms between the Framework for Resilient Development in the Pacific and the Sendai Framework for Disaster Risk Reduction.

Europe

48. To ensure a risk-informed approach for all European Union policies, the European Commission developed an action plan on the implementation of the Sendai Framework, while it is anticipated that the Council of Europe will endorse a four-year workplan on disaster risk management in October 2016. Moreover, the European Union Committee of the Regions included implementing the Sendai Framework as a priority in its current workplan. By aligning their funding requirements with the Sendai Framework, the European Commission Directorate General for Research and Innovation and the Directorate General for Humanitarian Aid and Civil Protection will greatly contribute to promoting disaster risk reduction across Europe and beyond. Furthermore, the European Commission Directorate General for Climate Action developed a new initiative titled "Covenant of Mayors for Climate and Energy" which facilitates the integration of disaster risk reduction and climate change adaptation among local authorities in line with the Sendai Framework.

Americas

49. In the Americas, the Union of South American Nations High-Level Working Group for Disaster Risk Management agreed on the formulation of a South American strategy for disaster risk reduction. At the subregional level, the Central American Integration System conducted a comparative analysis of existing regional and national policies vis-à-vis the Sendai Framework. A road map has been produced to harmonize the Central American Policy on Comprehensive Disaster Risk Management with the Sendai Framework. The Caribbean Community Caribbean Disaster Emergency Management Agency harmonized the 2014-2024 Comprehensive Caribbean Disaster Management Strategy and indicators with those of the Sendai Framework. Similarly, the Association of Caribbean States is incorporating disaster risk considerations into regional instruments such as the Havana Declaration and Plan of Action adopted by its member States in June 2016.

C. Early implementation at the national and local levels

50. To date, 60 countries have designated national focal points specifically to support the implementation of the Sendai Framework. In addition, 74 national disaster risk reduction platforms are reviewing and aligning their work with the Sendai Framework. Technical support and guidance were also provided to five countries in the Arab region to strengthen national capacities and coordination mechanisms for disaster risk reduction and to pilot national indicators to monitor implementation. Across Asia and the Pacific a number of countries have calibrated their national legislative and regulatory frameworks to implement the Sendai Framework in their own contexts, including developing disaster risk management status reports as well as public-private partnerships for resilience.

51. National loss and damage databases are instrumental in generating accurate country risk profiles and enhancing knowledge and understanding of risk with a view to designing multi-hazard disaster risk policies based on a localized understanding of disaster risk in all its dimensions. To date, the United Nations Office for Disaster Risk Reduction, together with partners, has supported the establishment and strengthening of national databases in 90 countries.

52. To support national Governments to develop and implement comprehensive disaster risk reduction policies, the United Nations Office for Disaster Risk Reduction, through its Global Education and Training Institute in Incheon, Republic of Korea, trained 1,300 national and local government officials on the practical application of risk reduction policies and the development of coherent approaches to implement the Sendai Framework. An online version of the course will be launched this year.

IV. Global initiatives, stakeholder engagement and partnerships

53. While Governments play the leading role in the implementation of the Sendai Framework, the Framework specifically recognizes the importance of all relevant stakeholders, including the private sector, civil society organizations and academia, in the design and implementation of policies, plans and standards. In this respect, the United Nations Office for Disaster Risk Reduction, together with other United

Nations agencies and numerous partners, is providing technical guidance and support to Governments and a wide range of stakeholders to integrate disaster risk into policies and programmes. The following paragraphs provide examples of some of this work.

Parliamentarians and local governments

54. Realizing the Sendai Framework's ambitious goal to prevent new and reduce existing disaster risk requires the strong commitment and involvement of political leadership at all levels. Parliamentarians have a prominent role in these efforts. In 2015, the Inter-Parliamentary Union (IPU) assembled Members of Parliament during the Third World Conference on Disaster Risk Reduction and agreed to review, draft and amend legislation to align with the Sendai Framework. The United Nations Office for Disaster Risk Reduction provides guidance to parliamentarians in their efforts to include disaster risk reduction in national legislations and budgets, including through technical support to the IPU 2016 Regional Seminar on the Sustainable Development Goals for the Parliaments of Central and Eastern Europe, the establishment of the East African Disaster Risk Reduction Parliamentarian Platform, the establishment of a network of parliamentarians for disaster resilience in Central Africa and advocacy work by Women in Parliaments.

55. Local authorities are at the forefront of reducing risk. The United Nations Strategy for Disaster Reduction Making Cities Resilient: "My city is getting ready" campaign was launched in 2010 to engage local government and city officials in reducing disaster risks and building resilient cities by strengthening financial capacity for resilience, increasing infrastructure resilience, pursuing resilient urban development and design and improving emergency management capacities. By December 2015, more than 3,000 cities and local governments had joined the campaign and 27 training sessions had been conducted for local governments covering 48 countries in 2015. To support the implementation of and reporting on the Sendai Framework and Sustainable Development Goal 11 at the local level, the campaign has developed new local-urban indicators which are currently being tested in selected cities. These efforts also support the United Cities and Local Governments network in the work to implement the Sendai Declaration of Local and Subnational Governments: "Ensuring enhanced resilience to disasters in the urban world" and to integrate disaster risk reduction at the local level through the 2030 Agenda and the United Nations Conference on Housing and Sustainable Urban Development (Habitat III) process.

Private sector

56. The Organization for Economic Cooperation and Development (OECD) estimates that there will be over $50 trillion in new investment in infrastructure over the coming decades.[6] If this investment is not disaster risk-informed, it will dramatically increase the cost of future disasters. The incorporation and management of disaster risk in capital investments, supply chains and operations will be essential to achieve the Sendai Framework targets. The Sendai Framework highlights that the lack of regulation and incentives for private sector disaster risk reduction investment is an underlying risk driver, and calls for business to integrate

[6] See www.oecd.org/newsroom/massiveinfrastructureinvestmentneededtomeetfuturedemandsaysoecd.htm.

disaster risk into management practices, including through risk-sharing mechanisms and instruments, insurance and financial protection.

57. The United Nations Office for Disaster Risk Reduction Private Sector Alliance for Disaster Resilient Societies (ARISE) was established in November 2015 as a vehicle for more than 140 private sector partners to promote and implement the Sendai Framework. Working with chief executive officers, chairs and other senior executives and key decision makers from sectors including education, energy, information technology, consulting, insurance, logistics, real estate, retail, tourism and utilities, ARISE promotes sharing best practice, integrates disaster risk reduction into business practices and has initiated a number of catalytic disaster risk reduction projects within the sector.

58. For example, the PwC tool to simulate high-impact crises and benchmark resilience allows businesses to assess their crisis management in a wider public-private collaborative space and to identify where their crisis and resilience arrangements are optimized or weak, and where to focus and prioritize actions. The Disaster Resilience Scorecard for Small and Medium Enterprises, a collaboration between AECOM and IBM, is another example which provides training to small and medium enterprises in disaster resilience.

59. Disaster risk reduction is gaining momentum across the insurance sector. Disaster risk transfer and insurance are indispensable tools to reduce the financial impact of disasters on public and private investments and ensure effective recovery and rehabilitation. The Principles for Sustainable Insurance initiative, a collaborative initiative between the United Nations and the insurance industry, rallied top insurance companies from around the world to reinforce their commitments to accelerate implementation of the Sendai Framework through public-private partnerships. The World Bank Group and UNDP also advocate for a more resilient and risk-informed global insurance market through the Insurance Development Forum, a collaboration with the private sector.

Children and youth

60. Disasters have a huge impact on schools, including causing significant loss of life, immediate economic costs and disruption to education that can last for years. The Worldwide Initiative for Safe Schools is a Government-led global partnership for advancing safe school implementation at the national level. The Initiative is coordinated by the United Nations Office for Disaster Risk Reduction and was developed in collaboration with key partners from the Global Alliance on Disaster Risk Reduction and Resilience in the Education Sector. The Initiative also promotes good practices and achievements in safe school implementation for replication in other countries and regions, helps identify challenges and offers technical assistance and particular expertise around the three pillars to support interested Governments in implementing school safety at the national level.

61. A number of Governments have endorsed the Worldwide Initiative for Safe Schools and the Istanbul road map to support the Initiative developed at the first meeting of safe school leaders hosted by the Government of Turkey in October 2014. At the second meeting of safe school leaders, hosted by the Government of the Islamic Republic of Iran in October 2015, an action plan was adopted that included a detailed road map for implementing the Initiative. The road map and the accompanying technical support packages provide guidance to Member States on

disaster risk reduction education as well as safe school infrastructure. Political commitment and membership in the Initiative has increased from 16 to 32 countries, and the Governments of Cambodia, Kyrgyzstan, Nepal and St. Vincent and the Grenadines have expressed interest in technical support from the Initiative.

62. It is fundamental to engage young people, the future policy makers and technical experts, in implementing the Sendai Framework. A youth engagement platform for disaster risk reduction is currently being developed and the publication of *Sendai Framework for Disaster Risk Reduction: For Children* in 2015 will support children's engagement across these efforts, where appropriate, and raise awareness of disaster preparedness.

Gender equality and women's empowerment

63. The Sendai Framework recognizes the importance of empowering women to participate in gender-sensitive disaster risk reduction policies, plans and programmes. Women and girls are disproportionately affected by disasters and, in order to address the underlying drivers of risk, it is crucial to address the gender inequality of risk and promote community resilience, not just by ensuring women's safety and response but also by actively engaging women as agents of change in disaster risk management.

Persons with disabilities

64. People with disabilities are disproportionately affected by disasters. As underscored in the Sendai Framework, effective disaster risk reduction requires empowerment and inclusive, accessible and non-discriminatory participation. As a promising step in this direction, in December 2015 participants at the Dhaka Conference on Disability and Disaster Risk Management adopted a declaration calling for inclusion and leadership of persons with disabilities within all disaster risk management programmes. In addition, the declaration acknowledges the importance of linking disability-inclusive disaster risk management with Agenda 2030 on the basis of the understanding that inclusion builds the resilience of the whole of society, safeguards development gains and minimizes disaster losses. Furthermore, recommendations have been made to the midterm review of the European Disability Strategy 2010-2020 to align it with the Sendai Framework.

Science and technology

65. Science and technology have a fundamental role to play in forecasting disasters, building resilient infrastructure and accurately calculating disaster losses. Expanding the interface between science, technology and policy is therefore essential for effective disaster risk reduction. Science and technology stakeholders participated actively in the World Conference on Disaster Risk Reduction, including announcing the launch of a number of science and technology initiatives and commitments to support the implementation of the Sendai Framework. In January 2016, the United Nations Office for Disaster Risk Reduction hosted the Science and Technology Conference on the Implementation of the Sendai Framework for Disaster Risk Reduction 2015-2030. The main outcome of the conference, which was attended by more than 700 science and technology experts representing numerous scientific institutions and societies, as well as young scientists, was the development of a comprehensive 15-year road map to define the expected outcomes

of the science and technology work under the four Sendai Framework priorities for action and ways to monitor progress and needs.

66. The global science and technology effort builds upon and reinforces a number of regional initiatives, including the recent establishment of the Arab Region Science and Technical Advisory Group for Disaster Risk Reduction and the Asia Science, Technology and Academia Advisory Group, established in 2015 to promote evidence-based and science-informed disaster risk reduction policies. Subsequently, the first Asian Science and Technology Conference for Disaster Risk Reduction was hosted by the Government of Thailand in Bangkok on 23 and 24 August 2015.

Early warning

67. Early warning and preparedness play a significant role in preventing hazardous events from becoming disasters. Early warning saves lives, reduces economic losses and helps prevent damage to critical infrastructure. The Climate Risk and Early Warning System (CREWS) initiative, launched at the twenty-first session of the Conference of the Parties to the United Nations Framework Convention on Climate Change held in Paris in December 2015, as part of the Lima-Paris Action Agenda, aims to significantly increase the provision of weather and climate services and the capacity to generate and communicate effective impact-based, multi-hazard early warning systems to protect lives, livelihoods and assets in least developed countries and small island developing States. The CREWS initiative is being implemented by the World Meteorological Organization (WMO), the World Bank Global Facility for Disaster Reduction and Recovery and the United Nations Office for Disaster Risk Reduction. In addition, the International Network for Multi-Hazard Early Warning Systems was established in early 2016 to facilitate the sharing of expertise and good practice to strengthen multi-hazard early warning systems, in close cooperation with CREWS. Similarly, with a focus on seismic risk, the United Nations Educational, Scientific and Cultural Organization launched the International Platform on Earthquake Early Warning Systems in December 2015.

Health

68. Disasters can cripple health systems, overwhelming capacity to cope with the spread of disease and interrupting services in critical sectors. Substantially reducing disaster damage to critical infrastructure, including health facilities, is at the core of the Sendai Framework. Furthermore, the Sendai Framework expands the scope of disaster risk reduction to consider reducing the risk of biological and technological hazards alongside risks to health and damage to health-care systems posed by hydro-meteorological and geophysical hazards. The World Health Organization (WHO), the World Organization for Animal Health, the World Bank, the United Nations Office for Disaster Risk Reduction and partners are working together with Member States to strengthen assessment, planning and country capacity development for all-hazards emergency and disaster risk management, with a focus on emergency preparedness and the implementation of the International Health Regulations. For example, the Safe Hospitals Initiative promotes structural and non-structural safety and improved emergency risk management to ensure that hospitals and other health facilities can function and provide life-saving care in times of emergency.

69. To initiate the implementation of the health components of the Sendai Framework, on 10 and 11 March 2016 the Government of Thailand, in cooperation with WHO and the United Nations Office for Disaster Risk Reduction, hosted an international conference on the implementation of the health aspects of the Sendai Framework. The Bangkok Principles, adopted at the conference, call for systematic cooperation, coherence and integration between disaster and health risk management. The principles cover the shared need for risk assessment, surveillance and early warning systems, resilient infrastructure, coordinated incident management and transboundary cooperation. A pilot project will be implemented in three Ebola-affected countries (Guinea, Liberia and Sierra Leone), aiming to integrate health into disaster risk reduction national platforms and plans and to ensure that data on health emergencies and the impact of disasters on health are included in national disaster loss databases.

V. Global advocacy on disaster risk reduction

70. "Knowledge for Life" was the theme of the 2015 International Day for Disaster Reduction, which is held annually on 13 October. The International Day raised awareness of traditional, indigenous and local knowledge and practices as a complement to scientific knowledge in disaster risk management and highlighted successful approaches for engaging local communities and indigenous peoples in implementing the Sendai Framework. The message reached over 8.5 million people through social media, with over 250 organizations participating in a Twitter Thunderclap. On the day, eight communities were declared disaster risk reduction champions for their skills in using local, traditional and indigenous knowledge to improve disaster risk management. The International Day also marked the end of the successful Step Up initiative. Since 2011, each year Step Up cast a spotlight on how disasters affect different groups, including children and young people, women and girls, people with disabilities and older persons. In 2016 the "Sendai Seven Campaign — 7 Targets, 7 Years" will be launched on the International Day, focusing each year on one of the seven global targets of the Sendai Framework.

World Tsunami Awareness Day

71. In accordance with General Assembly resolution 70/203, 5 November 2016 will be the first annual World Tsunami Awareness Day. From densely populated coastal cities to remote small islands, tsunamis can wipe out decades of development progress and take many lives. To promote the first World Tsunami Awareness Day and to mark the first anniversary of the Sendai Framework, the Permanent Mission of Japan to the United Nations hosted an event on 29 March 2016 to share lessons in preparing for tsunamis. In November, affected countries around the world will mark the day with evacuation drills and awareness-raising activities, with a focus on schools. A special event will also be held in New York to raise awareness on promising national efforts to prepare for tsunamis.

VI. Socioeconomic and environmental impacts of the 2015/16 El Niño phenomenon

72. In its resolution 69/218 the General Assembly requested the Secretary-General to include in the present report a section on the implementation of the resolution, in which the Assembly underlined the importance of improving forecasting skills and developing appropriate policies for reducing the impact of the El Niño phenomenon. The Assembly also called for the strengthening of relevant institutional capacity, with a specific reference to the International Research Centre on El Niño in Guayaquil, Ecuador. In its resolution 70/110, the Assembly requested the Secretary-General to include in his report a section addressing the socioeconomic and environmental impacts of the 2015/16 El Niño phenomenon. At the request of the Assembly, the Economic and Social Council convened a special meeting on the economic, social, and environmental impacts of the 2015/16 El Niño phenomenon on 6 May 2016, in collaboration with WMO and the United Nations Office for Disaster Risk Reduction. The outcomes of the discussion were captured in a statement by the President of the Council titled "Reducing risks and capturing opportunities", which, along with the findings of a global review carried out by the United Nations Office on the socioeconomic impacts of the 2015/16 El Niño, has informed the present report. On 20 May 2016, the Secretary-General appointed Mary Robinson of Ireland and Macharia Kamau of Kenya as his Special Envoys on El Niño and Climate to provide the leadership required to tackle these challenges and raise the profile of the crises to ensure that an adequate humanitarian response is undertaken alongside longer-term approaches to build the resilience of the most vulnerable.

Impacts of the El Niño phenomenon on lives and livelihoods

73. The peak of the 2015/16 El Niño was comparable in strength to the strong 1982/83 and 1997/98 events and, therefore, one of the strongest on record. The warming of the central to east equatorial Pacific of 2°C had global impacts. It is estimated that more than 60 million people were affected in 2015 and 2016. At the time of drafting the present report, it was too early to provide an estimate of the total impact on the economies of the affected countries and communities. However, significant short- and long-term impacts on the health of individuals, the economy and food production locally, nationally, regionally and globally have been reported. People whose livelihoods depend on agriculture, fisheries and livestock were particularly affected. Not all countries have the same level of exposure to El Niño-related extreme events. The economic exposure was greater for middle- and upper-income countries while the relative impact, and the impact on people and their livelihoods, was far higher for lower-income countries and small island developing States.

74. Latin American economies were particularly affected. Heavy rains caused severe damage to the most southerly countries in Latin America, with up to 200,000 people forced to evacuate their homes. Other countries in the region, such as Brazil and Venezuela, faced heat waves and droughts. The Zika virus, carried by mosquitoes, thrives in high temperatures and stagnant waters and its rapid spread could be linked to El Niño. Conversely, Central America experienced the worst drought in decades. It affected food insecurity for a second consecutive year, with over 3.5 million people becoming food insecure and in need of humanitarian

assistance after suffering major crop losses owing to prolonged drought conditions. In the Caribbean, 3.6 million people were classified as food insecure and an additional 1.5 million people were severely food insecure. The insecurities resulted from decreased agricultural yields, reduced food availability and higher market prices.

75. In Eastern Africa, as of February 2016, 20.4 million people were severely food insecure and suffering from malnutrition, including 10.2 million in Ethiopia alone. In Central African countries, as of March 2016, 550,000 people had been affected by extreme weather events, with damage to homes, food supplies and infrastructure. Countries in Southern Africa faced the worst drought in 35 years, with those that depended on the agriculture sector particularly vulnerable. An estimated 31.6 million people were food insecure in the region, with Lesotho, Malawi, Swaziland and Zimbabwe declaring drought emergencies. More than 1.8 million people were affected by floods in Madagascar, Malawi, Mozambique and the United Republic of Tanzania, including 280,000 people who were displaced; there were 600 deaths and 15,500 cases of cholera.

76. Parts of South-East Asia and the Pacific experienced severe drought along with very severe cyclones. In the Pacific Region, 4.7 million people in 12 Pacific countries were estimated to be at risk from drought and increased rainfall associated with El Niño, while severe tropical cyclones made landfall in Fiji and Vanuatu. Dry conditions in Indonesia led to wildfires, water scarcity and subsequent crop production loss. In 2015, fires burned 2.6 million hectares of forest and agricultural land. Health effects, such as above-normal acute respiratory infections and other health repercussions, were reported.

Policies and plans to manage and reduce the risk of extreme events related to El Niño

77. Through concerted efforts by WMO, regional climate centres have been established, in close coordination with the WMO Regional Associations, to generate and deliver more regionally focused high-resolution data and products as well as training and capacity-building. The International Research Centre on El Niño at Guayaquil is a regional climate centre designated by WMO.

78. Seasonal climate forecasts were produced at regular intervals for all affected regions by the regional climate centres, regional climate outlook forums, and national meteorological and hydrological services. The seasonal outlooks assessed the impacts of both the El Niño and La Niña conditions and other locally relevant climate drivers. Interpretations of regional climate variability were generated by the climate forecasting community, mainly the national meteorological and hydrological services, including prediction of variations from the norm regarding temperature and precipitation and related probability of higher-than-normal occurrence of natural hazards and other impacts.

79. For example, the IGAD Climate Prediction and Applications Centre convened climate outlook forums to issue predictions and learn lessons regarding the El Niño impacts and preparedness mechanisms put in place by countries in Eastern Africa. In South Asia, WMO, the India Meteorological Department, the Regional Integrated Multi-Hazard Early Warning System for Africa and Asia and the United States Geological Survey Center for Integrated Data Analytics collaborated to release rainfall forecasts for the 2015 monsoon season. Regular El Niño advisory notes

have also been prepared by the Economic and Social Commission for Asia and the Pacific (ESCAP) and the Regional Integrated Multi-Hazard Early Warning System for Africa and Asia.

80. In response to these forecasts, countries and regional organizations adopted action plans to reduce the potentially devastating impacts of El Niño. Examples of activities initiated through the El Niño action plans included revitalizing health services to combat yellow fever, malaria and chikungunya and reinforcing education facilities. Social support services and safety nets were strengthened to reduce the economic impact of El Niño, including social cash transfers, income-generating public works and family welfare programmes.

81. Faced with lower food production and higher prices, some countries issued policies and initiated activities to help farmers cope with drought, such as seed distribution, crop diversification and rotation, farm input subsidy programmes, cloud seeding and water saving, as well as school feeding programmes. By allocating resources in advance of the El Niño conditions, countries were able to avert widespread food insecurity, safeguard food reserves and stabilize prices of staple foods. Prompted by alerts for possible flooding, landslides and wildland fires, countries also initiated disaster prevention measures, particularly for high-risk communities. Actions, including clearing river beds of debris, fortifying existing reservoirs and even constructing new dam walls, and improving local water management and soil conservation practices saved lives and reduced potential damage to infrastructure and economic losses. However, a number of countries were compelled to declare a state of emergency and to issue humanitarian appeals.

82. Initiatives were put in place to reinforce monitoring and surveillance mechanisms and to improve coordination among stakeholders at all levels. For example, the African Union Commission played a pivotal role in assisting countries to manage the risks of El Niño, including by leading and coordinating the development of contingency and response plans and mobilizing commitments and resources for their implementation. IGAD convened high-level regional consultative meetings to discuss El Niño mitigation plans and to coordinate resource mobilization efforts. The Southern African Development Community convened a regional meeting at which mitigation plans and a regional preparedness and response strategy to address the impacts of El Niño on agriculture and food and nutrition security in Southern Africa were discussed and agreed. In another case of regional risk reduction measures, 32 African countries are collaborating with African Risk Capacity, a specialized agency of the African Union, to improve their capacity to better plan, prepare and respond to extreme weather events through finance mechanisms such as risk pooling and risk transfer.

83. The impacts of the 2015/16 El Niño event underscored the importance of a comprehensive understanding of slow onset disasters. Towards this end, ESCAP is leading the development of a regional methodology to assess the environmental, economic and social impacts of El Niño and communicate these to policymakers.

84. **Recommendations for reducing future impacts of El Niño are:**

(a) **Investment in long-term efforts to provide early warnings and climate predictions and increase local and national preparedness capacity and resilience in order to better manage extreme events. In this regard, WMO can**

continue to strengthen collaboration and exchange data and information with relevant institutions and network;

(b) Initiation of coordinated and comprehensive measures to prevent the economic, social and environmental impacts of El Niño conditions, including addressing the health consequences of El Niño by tackling increased levels of acute malnutrition and medical consequences associated with food insecurity; vulnerability to infectious diseases; higher incidence of respiratory diseases due to wildfires and health stress caused by heat waves; and disruption to health services;

(c) Systematic evaluation, recording and sharing of information and public accounts on disaster losses, including sex- and age-disaggregated data, to develop strategies and plans to address the impacts of future El Niño events;

(d) Systematic recording and dissemination of lessons learned on what was predicted, what was communicated, what the impacts were and what actions were taken in the context of the 2015/16 El Niño phenomenon, drawing on institutions that contributed climate observations and monitoring, regional and national climate centres, and key sectors and other end-users of climate information at the national level.

VII. Conclusions and recommendations

85. Important results have been achieved in the first year of the Sendai Framework for Disaster Risk Reduction 2015-2030. With clear global targets accompanied by practical measures for action and by articulating the cross-cutting nature of disaster risk management as a critical component of sustainable development, the Sendai Framework is coherently aligned with the 2030 Agenda and the Paris Agreement.

86. Effective integration of disaster risk management into sustainable development policies, practices and investments will require a monitoring system for the Sustainable Development Goals that integrates disaster risk reduction into its core indicators. Such work will require including the global and regional platforms for disaster risk reduction reviews of the progress on the Sendai Framework in the deliberations and policy guidance of the high-level political forum convened under the auspices of the Economic and Social Council and the General Assembly.

87. Important work is needed to ensure implementation of the Sendai Framework and that the benefits of disaster risk management are felt by all. This includes the completion of the ongoing work by the open-ended intergovernmental expert working group on indicators and terminology relating to disaster risk reduction. It is expected that the working group's efforts will lead to the adoption by the General Assembly of a set of practical and applicable indicators to measure progress against the Sendai Framework's global targets and of terminology to support a harmonized understanding and practice of disaster risk management. The indicators will form the foundation of a new monitoring instrument, the Sendai Framework monitor, to be presented at the Global Platform for Disaster Risk Reduction in 2017.

88. The Sendai Framework target on achieving a substantial increase in the number of countries with national and local disaster risk reduction strategies by 2020 is the first milestone. Reaching it will require persistent focus, dedication and appropriate resources. Over the next four years concerted efforts will be required to better understand existing levels of disaster risk and trends, to develop strategies based on a sound knowledge of current challenges and to set clear priorities and targets. Measures must include the establishment or enhancement of systems to record disaster losses with a database of disaggregated information and historical disaster losses, to establish hazard and vulnerability assessments and disaster risk estimates.

89. The adoption of national policies and normative frameworks with clearly defined strategies and targets will improve accountability, together with continued collaboration and commitment by the public and private sectors to integrate disaster risk reduction into their respective policies, practices and investments. The draft articles on the protection of persons in the event of disasters adopted by the International Law Commission are important in this respect.

90. The fifth session of the Global Platform for Disaster Risk Reduction, to be held in Mexico in May 2017, as well as the regional platforms for disaster risk reduction provide opportunities to assess progress in implementing the Sendai Framework and voluntary commitments. To utilize the global and regional platforms as vehicles to accelerate implementation of the Framework, it is important that countries and stakeholders prepare by identifying challenges and opportunities, and come ready to share their experiences. Political commitment at the highest levels of government, as well as support from local governments, the private sector, the scientific community, civil society and other stakeholders, is essential.

91. The United Nations system will need to step up its efforts to support countries in the implementation of the Sendai Framework in the larger context of the 2030 Agenda for Sustainable Development. To this end, the functions of the Special Representative of the Secretary-General for Disaster Risk Reduction are an invaluable asset and the recently adopted revised United Nations Plan of Action on Disaster Risk Reduction for Resilience entitled "Towards a risk-informed and integrated approach to sustainable development" will be important.

92. A substantial increase in investment in disaster risk reduction is required if the expected outcome and the seven global targets of the Sendai Framework are to be attained by 2030. While some progress has been made, the volume of resources available for disaster risk reduction falls well short of that required to ensure the substantial reduction of disaster risk and losses in lives and livelihoods, and in the economic, physical, social and environmental assets of persons, businesses, communities and countries. The United Nations Trust Fund for Disaster Reduction is the existing mechanism to assist in the implementation, follow-up and review of the Sendai Framework and will require enhancement of its role and increases in the volume, predictability, timeliness and stability of funding.

93. **In the light of the above, it is recommended that:**

(a) **States' experts continue actively engaging in the work of the open-ended intergovernmental expert working group on indicators and terminology relating to disaster risk reduction and adopt a set of practical, applicable and easy-to-communicate indicators to measure progress against the Sendai Framework's global targets and indicators, which it will transmit to the General Assembly for consideration and adoption in December 2016;**

(b) **States ensure that the final set of Sustainable Development Goals indicators relating to disaster risk reduction is developed in line with the indicators and methodology developed by the open-ended intergovernmental expert working group in order to ensure coherence in implementation, collection of data and reporting;**

(c) **States and other stakeholders engage at the highest levels in the upcoming regional platforms for disaster risk reduction and in the fifth session of the Global Platform for Disaster Risk Reduction in 2017;**

(d) **States continue working on data collection and development of baselines, including through the establishment or enhancement of systems to record disaster losses with a database of disaggregated information and historical disaster losses going back at least until 2005;**

(e) **States give priority and devote particular efforts and resources to the development of national and local disaster risk reduction strategies by 2020 as per global target (e) of the Sendai Framework, and ensure integration of disaster risk reduction across other national and local development strategies, plans and programmes, as appropriate;**

(f) **States take into account the periodic progress reviews of the Sendai Framework in the context of the deliberations of the high-level political forum on sustainable development and the Economic and Social Council;**

(g) **States enhance international cooperation and the provision of means of implementation to support least developed countries and small island developing States in the implementation of the Sendai Framework and, in that context, make bilateral and multilateral development assistance programmes risk-informed;**

(h) **States consider augmenting their financial contributions to the United Nations Trust Fund for Disaster Reduction in order to continue to support the efforts of Member States outlined in the present report.**

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Observer status for the Pacific Islands Development Forum in the General Assembly

Letter dated 31 August 2016 from the Permanent Representative of Fiji to the United Nations addressed to the Secretary-General

I have the honour to request, in accordance with rule 15 of the rules of procedure of the General Assembly, the inclusion in the agenda of the seventy-first session of the Assembly, of an additional item entitled "Observer status for the Pacific Islands Development Forum in the General Assembly".

In conformity with rule 20 of the rules of procedure of the General Assembly, an explanatory memorandum (see annex) is attached to the present letter.

I would be grateful if you could have the present letter and its annex circulated as a document of the General Assembly.

(*Signed*) Peter **Thomson**
Permanent Representative of Fiji to the United Nations

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Annex

Explanatory memorandum

Observer status for the Pacific Islands Development Forum in the General Assembly

The present submission provides an explanation as to why the Pacific Islands Development Forum should be granted observer status in the General Assembly.

The justifications are as follows:

1. Legally constituted international organization
2. Expanding Pacific membership
3. A forum for Pacific leadership
4. Inclusive multi-stakeholder membership
5. A collective voice for Pacific small islands developing States and territories
6. The regional counterpoint for the permanent missions of Pacific small islands developing States to the United Nations
7. Regional counterpoint for the high-level political forum on sustainable development
8. Convergence of development agenda

1. Legally constituted international organization

The Pacific Islands Development Forum is a legally constituted international organization representing the public sector, the private sector and civil society organizations in Pacific small island developing States and territories. It was formally launched on 4 September 2015, with the signing of its charter by the following countries and organizations:

- Fiji
- Micronesia (Federated States of)
- Kiribati
- Marshall Islands
- Nauru
- Solomon Islands
- Tonga
- Vanuatu
- Pacific Islands Association of Non-governmental Organizations

The charter of the Forum was registered with the United Nations on 6 October 2015, as follows:

- Certificate of registration No. 66150
- 53047 — Multilateral

A host country agreement was concluded between the Forum and Fiji on 20 June 2014. Diplomatic recognition has also been granted to the Forum by the host country under its domestic laws in the following legal notices:

- Diplomatic Privileges (International Organizations) (Amendment) Order 2013 (Legal Notice No. 64 of 2013)
- Diplomatic Privileges and Immunities Act (CAP 8) (*Fiji Government Gazette*, vol. 14; Friday, 25 October 2013 No. 93)

2. Expanding Pacific membership

The majority of Pacific small island developing States are members of the Forum. Eight countries joined on 4 September 2015 when the Forum charter was opened for signature. Two more have since joined. Only three Pacific small island developing States have yet to join. They are Palau, Papua New Guinea and Samoa. One territory and two regional umbrella organizations, one representing all private sector organizations in the Pacific and the other representing civil society organizations in the Pacific, have also joined the Forum. Currently, there are therefore 13 members of the Forum, as follows:

- Fiji
- Micronesia (Federated States of)
- Kiribati
- Marshall Islands
- Nauru
- Solomon Islands
- Timor-Leste
- Tokelau
- Tonga
- Tuvalu
- Vanuatu
- Pacific Islands Association of Non-governmental Organizations
- Pacific Islands Private Sector Organization

3. A forum for Pacific leadership

The Forum is the only leader's organization in the Pacific that can provide strong national ownership and leadership on the global development agenda. The charter of the Forum provides a governance structure that includes Heads of Government and leaders of organizations in its member countries and territories. The charter, however, goes a step further and requires that each of its member countries establish a multi-stakeholder forum called the National Sustainable Development Board to coordinate the implementation of all Forum decisions at the national level and inform Forum leaders of national priorities. These arrangements ensure that the Forum, as an organization, brings to global and regional forums

strong political leadership that will be able to make the political investment needed to ensure the implementation of the global development agenda.

4. Inclusive multi-stakeholder membership

The Forum is the only Pacific organization whose members include not only the public sector or the Governments of Pacific small island developing States and territories but also the private sector and civil society groups in the Pacific. This membership ensures that the Forum brings to global and regional discourse on the global development agenda a comprehensive whole-of-society approach to achieving unity of effort to accelerate the transition to more inclusive, equitable and sustainable development pathways for the Pacific. Achieving the Sustainable Development Goals demands stronger, innovative and multi-stakeholder partnerships in order to mobilize and share knowledge, expertise, technology and financial resources. Both the United Nations system and national Governments have recognized that achieving the Goals and targets of the 2030 Agenda for Sustainable Development will require overcoming sectoral and institutional boundaries and embracing a more integrated and coherent approach. The Forum, with its membership open to all public sector, private sector and civil society organizations in Pacific small island developing States and territories, is best positioned to deliver this outcome.

5. A collective voice for Pacific small island developing States and territories

The Forum, with its membership requirement related only to Pacific small island developing States and territories, is able to both effectively craft common negotiating platforms and advance shared interests on issues such as climate change and sustainable development. As they are from the same region, the members have the same problems, the same vulnerabilities. They therefore have a voice that needs to be heard, a view to put forward and a contribution to make to the international community. The Forum was able to do this in the lead-up to the Conference of the Parties to the United Nations Framework Convention on Climate Change when, because of its membership, it was able to craft a common position on climate change called the Suva declaration on climate change, which was promoted successfully by Forum members during the Conference of the Parties held in Paris.

6. The regional counterpoint for the permanent missions of Pacific small island developing States and territories to the United Nations

As the only South-South organization for Pacific small island developing States and territories in the Pacific, the Forum is the regional counterpoint for the permanent missions to the United Nations in New York of Pacific small island developing States. No other organizations in the Pacific can play this role as their memberships do not reflect the composition of the permanent missions in New York. The Forum alone is able to bring a regionally informed view on issues before the United Nations for the benefit of the permanent missions of its members in New York.

7. Regional counterpoint for the high-level political forum on sustainable development

With its inclusive processes and focus on sustainable development, the Pacific Islands Development Forum is ideally positioned to be the regional link for the high-level political forum on sustainable development. The national sustainable development boards, with their inclusive and participatory processes, provide the high-level political forum with an effective mechanism that will facilitate the integration of the global commons into national policy objectives for mainstreaming the Sustainable Development Goals and targets and achieving policy integration and coherence, including consistency with climate and other sectoral priorities; fostering synergies and addressing potential trade-offs; and ensuring a strong, inclusive and transparent national monitoring and review framework.

8. Convergence of development agenda

The mandate of the Pacific Islands Development Forum mirrors the United Nations development agenda, which includes the 2030 Agenda, the Paris Agreement on climate change, the Sendai Framework for Disaster Risk Reduction, the Addis Ababa Action Agenda of the Third International Conference on Financing for Development, and the Barbados Programme of Action adopted in 1994, further complemented by the Mauritius Strategy for Implementation of 2005, as well as the SIDS Accelerated Modalities of Action (SAMOA) Pathway, to name a few. The mandate of the Forum as provided in article 4 of its charter is as follows:

> The Pacific Islands Development Forum shall drive, through national, regional and international frameworks, transformative changes by focusing on the sustainable and inclusive development of Pacific islands by:
>
> - Advocating the very real and pressing significance of climate change for the lives and livelihoods of Pacific islands and Pacific islanders
> - Implementing policies for sustainable development and especially poverty eradication that respond to the challenges posed by climate change and globalization
> - Accelerating the integration of the three pillars of sustainable development, namely, environment, social and economic, to harmonize the pursuit of economic growth with the needs of societies and the sustainability of the environment, and
> - Facilitating the use of tools, approaches and innovations, such as Green-Blue Pacific economies, leadership and genuine partnerships to stimulate robust debate while fostering an inclusive change agenda.

In addition, article 5 of the charter provides that the Forum will have the following functions:

- Serve as a dynamic regional partnership platform that recognizes, celebrates, promotes and preserves the diversity of Pacific cultures, their history and the challenges they face from climate change, globalization and development.
- Provide an inclusive regional multi-stakeholder forum to enable collaboration between leaders and representatives of Pacific Governments,

civil society and the private sector to take ownership of their decisions and actions to address their special development needs.

- Provide an inclusive regional multi-stakeholder forum for leaders of the public sector, civil society and the private sector.
- Serve as the Pacific regional counterpart for the South-South groupings and other regional and international arrangements that focus on sustainable development and especially poverty eradication in Pacific islands to ensure policy coherence at all levels.
- Advocate for a robust, effective, inclusive and transparent follow-up and review process to connect activity at the national, regional and international levels.
- Secure the support of development partners through formal agreements for technical assistance and financial resources to achieve sustainable development and poverty eradication outcomes.
- Promote innovation through the adoption of robust policy designs, good governance practices, and scalable and adaptable technology choices to deliver transformational changes.
- Support the development of national infrastructure of development to connect with regional and international institutions.
- Develop an information hub for the dissemination of information on Green-Blue growth, sustainable development and especially poverty eradication.

As can be seen, the above-mentioned Forum mandate mirrors the United Nations global development agenda and positions the Forum as the best partner to assist the United Nations in fulfilling its agenda in the Pacific.

Conclusion

The Pacific Islands Development Forum should therefore be granted observer status in the General Assembly because of the justifications set out above.